

# MAINE STATE LEGISLATURE

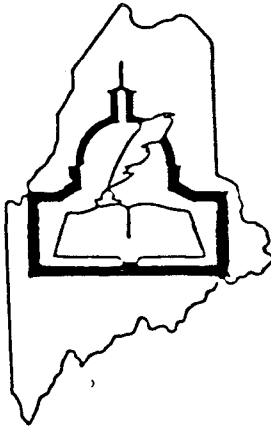
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STATE OF MAINE  
ONE HUNDRED AND TWELFTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON  
UTILITIES  
BILL SUMMARY



JULY, 1985

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ONE HUNDRED AND TWELFTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
JULY 1985

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature, covering the First Regular Session of the 112th Legislature. The summaries are arranged by LD number and indexed separately by committee.

LD: 151 AN ACT RELATING TO THE PROTECTION OF  
UNDERGROUND FACILITIES UNDER THE PUBLIC  
UTILITY LAW  
ND: 1179

VOSE  
RICHARD  
PARADIS E  
PERKINS

OTP-ND HPO835 HOUSE Accepted Committee Report  
SENATE Accepted Committee Report  
GOV

CH #

SUMMARY: The bill amends the requirements of 23 MRSA §3360-A relating to protection of underground facilities of utilities from excavation. Under existing law the person excavating must give 3 working days notice and the utility has 2 working days to respond before excavation. The bill increases these to 4 and 3 days respectively. The bill sets up a new voluntary "Utility underground plant damage prevention system" to handle such notices. Only 3 days notice would be required if given to this system. The bill deletes water, sewage and oil pipes from the underground facilities protected. Existing law requires the utility to mark the facilities within 36 inches and to indicate their depth. The bill requires the marking to be more precise, within 18 inches, and removes the depth requirement. The bill adds a new provision which makes failure to provide notice prima facie evidence of negligence by the person excavating. Present law exempts state highway activities from the notice requirements and exempts public utilities and municipalities from the specific time limit. The bill removes these exemptions. The bill adds a civil penalty of \$500 for failure to give notice.

The new draft (LD1179) makes the law concerning protection of underground facilities applicable to state and state aid highway construction and maintenance activities performed by state maintenance forces, except for installation and maintenance of signs. The rest of the original bill is dropped.

LD: 152 AN ACT RELATING TO THE AUTHORITY OF THE  
GENERAL COUNSEL OF THE MAINE PUBLIC UTILITIES  
COMMISSION  
ND:

VOSE

LU-WD HOUSE Accepted Committee Report  
SENATE Accepted Committee Report  
GOV

CH #

SUMMARY: The bill puts the General Counsel of the PUC in charge of consumer assistance matters.