

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND NINETEEN

H.P. 870 - L.D. 1206

An Act Regarding Utility Poles in Public Rights-of-way

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 23 MRSA §3651, sub-§1, as enacted by PL 1987, c. 583, §1, is amended to read:

1. Legal objects not defects. Trees, structures, utility poles and facilities and other things ~~which~~ that exist in accordance with municipal ordinances are not defects in a public way. For the purposes of this subsection, "facilities" has the same meaning as in Title 35-A, section 2502, subsection 3.

Sec. 2. Report. No later than January 31, 2020, the Public Utilities Commission shall submit to the Joint Standing Committee on Energy, Utilities and Technology a report regarding orders adopted or other actions taken by the commission during calendar year 2019 to address issues related to abandoned utility poles and associated facilities, as that term is defined in the Maine Revised Statutes, Title 35-A, section 2502, subsection 3, in the public right-of-way. Commission actions may include amendments to commission rules regarding removal or relocation of utility poles and any associated facilities located within the public right-of-way and restoration of a pole site to a safe condition. The report may include findings and recommendations, including suggested legislation. The committee may report out a bill to the Second Regular Session of the 129th Legislature related to the report.