

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2008 to June 13, 2009

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FIRST REGULAR SESSION
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Augusta, Maine
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tified nursing assistant in certain settings and make recommendations for changes, including, but not limited to, the addition of crimes involving sexual assault and violence. The working group shall consider issues related to the duration of the employment prohibition, the direct care workers to which it is applicable and whether the law should be retroactive; and be it further

Sec. 3. Report recommendations. Resolved: That, by January 1, 2010, the Department of Health and Human Services shall report to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Criminal Justice and Public Safety the findings and recommendations of the working group under section 1, including any necessary implementing legislation; and be it further

Sec. 4. Legislation. Resolved: That, after receipt and review of the report and recommendations submitted pursuant to section 3, the Joint Standing Committee on Health and Human Services may submit legislation to the Second Regular Session of the 124th Legislature.

See title page for effective date.

CHAPTER 69

H.P. 670 - L.D. 968

Resolve, Regarding New Utility Line Extension Construction

Sec. 1. New utility line extension construction. Resolved: That the Public Utilities Commission shall convene a stakeholder group to study the practices of investor-owned transmission and distribution utilities with respect to new utility line extension construction, other than the actual rates and prices charged for line extensions. The study must include, but is not limited to, an evaluation of how the utilities' line extension practices affect private line extension contractors and a review of the methodologies used to apportion line extension costs. The commission shall, at a minimum, invite representatives from the following to participate in the stakeholder group: the investor-owned transmission and distribution utilities in the State, associations of builders and contractors, private line extension contractors and the Office of the Public Advocate; and be it further

Sec. 2. Report; authority for legislation. Resolved: That, no later than February 15, 2010, the Public Utilities Commission shall submit to the Joint Standing Committee on Utilities and Energy a report of the findings and recommendations of the stakeholder group under section 1. The report must include, but is not limited to, an assessment of any differences in the apportionment methodologies used by the

investor-owned transmission and distribution utilities and recommendations to achieve a common standard operating procedure for line extension cost estimating. After receipt and review of the report, the committee is authorized to report out legislation to the Second Regular Session of the 124th Legislature, as necessary, to direct the Public Utilities Commission to amend its rules governing private line extensions pursuant to the Maine Revised Statutes, Title 35-A, section 314, subsection 5.

See title page for effective date.

CHAPTER 70

H.P. 756 - L.D. 1094

Resolve, To Study Safety Measures Relating to Open Trenches and Excavations

Sec. 1. Department of Transportation to establish a working group to study safety measures relating to open trenches and excavations. Resolved: That the Department of Transportation, in conjunction with the Department of Public Safety, shall establish a working group to study trench and excavation safety, referred to in this resolve as "the working group." In addition to representatives of the Department of Transportation and the Department of Public Safety, the working group must include, but is not limited to, the Department of Labor, the Public Utilities Commission, the Maine Turnpike Authority, the Maine Better Transportation Association, the Maine Municipal Association, Associated General Contractors of Maine and other representatives of the construction industry in the State to examine safety issues relating to unattended trenches and excavations on both public and private property. The working group, in its deliberations, shall study the trench safety law recently enacted in Massachusetts, which is specifically designed to prevent a member of the public from falling into an unattended trench and suffering an injury or fatality. The working group shall develop recommendations for improving the safety of unattended trenches and excavations for the general public; and be it further

Sec. 2. Report. Resolved: That the working group shall submit a report to the Joint Standing Committee on Transportation no later than the first business day in February 2010. The report must include an analysis of federal and state trench and excavation safety laws, regulations and rules with recommended legislation to strengthen laws relating to trench and excavation safety. After reviewing the report, the Joint Standing Committee on Transportation may report out a bill to the Second Regular Session of