

MAINE STATE LEGISLATURE

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L.D. 2482

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UTILITIES AND ENERGY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1769, L.D. 2482, Bill, "An Act to Enhance Maine's Historic Districts by Efficiently Installing Underground Delivery Systems During Road Construction"

Amend the bill by striking out the title and substituting the following:

'An Act to Enhance Maine's Historic Districts by Efficiently Installing Underground Delivery Systems'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 35-A MRSA §2312 is enacted to read:

§2312. Facilities in municipally designated historic districts

1. Location of facilities in municipally designated historic district. A public utility or other facility owner that owns facilities, as defined in section 2502, subsection 3, along a state highway or state aid highway located in a district designated a historic district by a municipality by ordinance shall provide, upon written demand by the governing body of that municipality, services to buildings or structures located along the state highway or state aid highway either by connecting its facilities to the rear of those buildings or structures, if rear access is reasonably available from other poles, however owned and controlled, legally located in public streets or ways, or by placing those facilities under the surface of the state highway or state aid highway. Any relocation or placement cost is the

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COMMITTEE AMENDMENT "A" to H.P. 1769, L.D. 2482

2 responsibility of the municipality whose governing body issued
3 the written demand, unless the public utility or other facility
4 owner has specifically agreed in writing to bear a portion of the
5 cost.

6 2. Cost estimate. A public utility or other facility owner
7 that owns facilities, as defined in section 2502, subsection 3,
8 shall inform, within 60 days of receiving a written demand from a
9 municipality pursuant to subsection 1, the municipality's
10 governing body of its preliminary estimate of costs of relocating
11 facilities. The written demand must include the exact location
12 within the public way of the proposed new placement or
13 relocation, taking into consideration existing underground
14 utilities. The municipality may rescind its demand for a
15 relocation after reviewing the cost estimate.'

16

18 SUMMARY

20 This amendment replaces the bill and changes the title to
21 reflect the intent of the amendment. Under this amendment, a
22 municipality may direct that utility facilities in a historic
23 district be relocated. Costs of the relocation are borne by the
24 municipality unless the facility owner agrees in writing to share
25 the costs.

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