

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

SECOND REGULAR SESSION
January 7, 1998 to March 31, 1998

SECOND SPECIAL SESSION
April 1, 1998 to April 9, 1998

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 1998

SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 9, 1998

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1997

issues, alternative approaches that may be taken to address any problems identified, a recommended definition for occupational disease, a recommendation for tracking data on occupational diseases and any other recommendations considered necessary. The groups may submit with the report legislation necessary to implement their recommendations.

See title page for effective date.

CHAPTER 95

H.P. 1507 - L.D. 2129

Resolve, to Approve a Maine Technical College System Lease with the South Portland Housing Authority

Sec. 1. Lease with South Portland Housing Authority. Resolved: That the Legislature does hereby authorize the South Portland Housing Authority, its designee or its authorized entity and the Maine Technical College System to enter into a 40-year land lease to enable the South Portland Housing Authority, its designee or its authorized entity to construct low-income and moderate-income, elder-care housing on property currently owned by the Maine Technical College System. The initial term of that lease may not exceed 40 years.

See title page for effective date.

CHAPTER 96

H.P. 1577 - L.D. 2210

Resolve, Regarding Legislative Review of Chapter 890: Consumer Complaint Ratios, a Major Substantive Rule of the Department of Professional and Financial Regulation

Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter II-A, requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Adoption. Resolved: That final adoption of Chapter 890: Consumer Complaint Ratios, a provisionally adopted major substantive rule of the Department of Professional and Financial Regulation, and submitted to the Legislature for review pursuant to the Maine Administrative Procedure Act, is authorized.

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective March 23, 1998.

CHAPTER 97

S.P. 809 - L.D. 2187

Resolve, to Name the New Bridge on Route 157 in Medway the Harold C. Beathem Bridge

Sec. 1. New Route 157 bridge in Medway named. Resolved: That the new Route 157 bridge over the East Branch of the Penobscot River in Medway be known as the Harold C. Beathem Bridge in honor of the valued contributions Harold C. Beathem made as a community leader to the betterment of Medway.

See title page for effective date.

CHAPTER 98

H.P. 1581 - L.D. 2211

Resolve, to Repeal a Prior Resolve Authorizing the Exchange of a Parcel of Land Owned by the State with One Owned by Luke Bolduc

Sec. 1. Resolve 1995, c. 62, repealed. Resolved: That Resolve 1995, c. 62 is repealed; and be it further

Sec. 2. Commissioner of Defense, Veterans and Emergency Management authorized to exchange property. Resolved: That the Commissioner of Defense, Veterans and Emergency Management shall convey by quitclaim deed without covenant a portion of the parcel of land in the City of Augusta in Kennebec County described in the deed recorded at the Kennebec County Registry of Deeds, Book 1688, Page 295 in exchange for a portion of the parcel of land owned by Luke Bolduc and conveyed by quitclaim deed in the City of Augusta in Kennebec County described in the deed recorded at the Kennebec County Registry of Deeds, Book 4952, Page 283. The portion of land conveyed by the commissioner must have the approximate dimension of 105.5 feet by 50 feet by 105.5 feet by 50.3 feet. The portion of land owned and conveyed by Luke Bolduc must have the approximate dimensions of 85.77 feet by 50.3 feet by 87.72 feet by 50 feet; and be it further

Sec. 3. Retroactivity. Resolved: That that section of this resolve that repeals Resolve 1995, chapter 62 applies retroactively to July 4, 1996.

See title page for effective date.

CHAPTER 99

H.P. 1575 - L.D. 2209

Resolve, Regarding Legislative Review of Chapter 302: Consumer Education Program; Electric Restructuring, a Major Substantive Rule of the Public Utilities Commission

Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter II-A, requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rules; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preserva-

tion of the public peace, health and safety; now, therefore, be it

Sec. 1. Adoption with amendment. Resolved: That the final adoption of Chapter 302: Consumer Education Program; Electric Restructuring, a provisionally adopted major substantive rule of the Public Utilities Commission and submitted to the Legislature for review pursuant to the Maine Administrative Procedure Act, is authorized, but only if the rule is amended as follows:

1. Section 5, paragraph B is amended by striking the last sentence and new language is inserted providing that the commission must consider the recommendations of the advisory board in developing and implementing the consumer education plan and program; and

2. Section 6, paragraph B is amended by inserting the word "only" after the phrase "for informational purposes."

The Public Utilities Commission is not required to hold hearings or conduct other formal proceedings prior to finally adopting the rule in accordance with this resolve.

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective March 30, 1998.

CHAPTER 100

H.P. 1591 - L.D. 2220

Resolve, Regarding Legislative Review of Chapter 301: Rules for Standard Offer Service, a Major Substantive Rule of the Public Utilities Commission

Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter II-A, requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above named major substantive rule has been submitted to the Legislature for review; and