

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 21, 2001

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
2001

their proportionate share of anticipated school capital costs.

See title page for effective date.

CHAPTER 39

S.P. 149 - L.D. 493

An Act to Require the Department of Transportation to Coordinate with Municipalities Regarding Landscaping and Planting

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

Sec. 1. 23 MRSA §951, as amended by PL 1979, c. 316, §1, is further amended to read:

§951. Planting

The department may cause or allow grasses, shrubs, vines and trees to be planted and maintained along state and state aid highways, to be paid for as part of the cost of ~~construction~~ construction and maintenance of highways. The department shall consult with the recognized tree board or tree warden of a municipality concerning the planting along a state or state aid highway within that municipality. For purposes of this section, a "recognized tree board" or "tree warden" means a person or persons designated as such by municipal officials and listed with the Department of Conservation. In making this designation, municipal officials shall give preference to persons experienced in the area of landscaping and planting. If such persons are not available, the municipality may designate another municipal officer.

See title page for effective date.

CHAPTER 40

H.P. 449 - L.D. 570

An Act to Remove Redundant Written Authorization Requirements

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

Sec. 1. 30-A MRSA §4406, sub-§3, as amended by PL 1997, c. 199, §1, is further amended to read:

3. Utility installation. A public utility, water district, sanitary district or any utility company of any kind may not install services to any lot or dwelling unit in a subdivision, unless written authorization

attesting to the validity and currency of all local permits required under this chapter has been issued by the appropriate municipal officials or other written arrangements have been made between the municipal officers and the utility, except that if a public utility, water district, sanitary district or utility company of any kind has installed services to a lot or dwelling unit in a subdivision in accordance with this subsection, a subsequent public utility, water district, sanitary district or utility company of any kind may install services to the lot or dwelling unit in a subdivision without first receiving written authorization pursuant to this section.

Sec. 2. 38 MRSA §444, last ¶, as amended by PL 1997, c. 199, §2, is further amended to read:

A public utility, water district, sanitary district or any utility company of any kind may not install services to any new structure located in a shoreland area, as defined by section 435, unless written authorization attesting to the validity and currency of all local permits required under this chapter has been issued by the appropriate municipal officials or other written arrangements have been made between the municipal officers and the utility, except that if a public utility, water district, sanitary district or utility company of any kind has installed services to a new structure in accordance with this paragraph, a subsequent public utility, water district, sanitary district or utility company of any kind may install services to the new structure without first receiving written authorization pursuant to this section.

See title page for effective date.

CHAPTER 41

S.P. 107 - L.D. 333

An Act to Allow the Maine Turnpike Authority to Construct Communications Facilities

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

Sec. 1. 23 MRSA §1965, sub-§1, ¶D-1 is enacted to read:

D-1. Construct, acquire, install, maintain and reconstruct communications facilities and equipment within the boundaries of the turnpike for the use of the authority, the use of others or both on such terms and conditions as the authority may determine, provided that any communications tower constructed, acquired, installed, maintained or reconstructed by the authority within turnpike property will be solely for the use of the authority;