

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

SECOND REGULAR SESSION
January 2, 2008 to March 31, 2008

FIRST SPECIAL SESSION
April 1, 2008 to April 18, 2008

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 2008

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 18, 2008

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

Penmor Lithographers
Lewiston, Maine
2008

B. To the extent funds available pursuant to paragraph A are insufficient to fund fully staff support for the council, each member of the council shall enter into an agreement with the ~~State Planning Office~~ Executive Department, Governor's Office of Energy Independence and Security to share in the cost of providing the staff support.

C. The council may seek, and the Public Utilities Commission may provide, funds to the council pursuant to Title 35-A, section 3211-A, subsection 5-A.

Sec. C-5. 5 MRSA §3327, sub-§4, as enacted by PL 2001, c. 630, §1, is amended to read:

4. Report; legislative oversight. By January 15th of each year, the chair of the council shall prepare and submit to the Governor and to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters an annual report describing the council's activities during the previous calendar year and ~~an outline of anticipated activities~~ the council's work plan for the current calendar year. The report must also include an evaluation of the council's effectiveness in meeting the requirements of this chapter and the adequacy of available staffing resources. The report may include recommendations for changes to law regarding energy policy. After ~~receiving a receipt and review of the annual report required under~~ this subsection, the joint standing committee of the Legislature having jurisdiction over utilities and energy matters may ~~report out~~ submit legislation relating to energy policy.

See title page for effective date.

CHAPTER 657

S.P. 847 - L.D. 2199

An Act To Establish a Railroad Crossing Information Council

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

Sec. 1. 5 MRSA §12004-I, sub-§92 is enacted to read:

92.

<u>Public Advocate</u>	<u>Railroad Crossing Information Council</u>	<u>Not Authorized</u>	<u>35-A MRSA §1712</u>
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Sec. 2. 35-A MRSA §1712 is enacted to read:

§1712. Railroad Crossing Information Council

1. Establishment. The Railroad Crossing Information Council, as established by Title 5, section

12004-I, subsection 92 and referred to in this section as "the council," is created to serve as a repository of information concerning the establishment or maintenance of private railroad crossings, and to provide information and assistance to persons regarding private crossings of railroads.

2. Members. The council is composed of:

A. The Public Advocate; and

B. Four members appointed by the Governor to serve 3-year terms that expire December 31st:

- (1) One member who is a representative of the railroad industry;
- (2) One member who is a representative of the insurance industry;
- (3) One member who is a representative of the real estate industry; and
- (4) One member who is a resident of this State and who is not and has never been employed in the railroad industry.

Members under paragraph B may be reappointed for subsequent terms. A vacancy must be filled for the remainder of the unexpired term in the same manner as an original appointment.

3. Chair. The Public Advocate is chair of the council.

4. Duties. The council shall gather and compile information regarding the process of and standards associated with establishing private railroad crossings, including but not limited to costs associated with installation, maintenance and insurance of private railroad crossings and contract terms. The council may provide advice and assistance to persons who request information on how to establish a private railroad crossing. The council may facilitate or mediate private railroad crossing disputes with the consent of the concerned parties. The council may take any other appropriate actions consistent with the purposes of this section.

5. Staffing and expenses. The Public Advocate within budgeted resources, shall provide reasonable staff support as requested by the council. Members of the council are not entitled to compensation as provided in Title 5, section 12004-I.

See title page for effective date.

CHAPTER 658

S.P. 857 - L.D. 2225

An Act To Provide Tax Relief to Maine's Forest Products Industry