

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

SECOND SPECIAL SESSION
September 5, 1996 to September 7, 1996

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 4, 1996 to March 27, 1997

FIRST SPECIAL SESSION
March 27, 1997 to June 20, 1997

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 26, 1997

FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 1997

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

CHAPTER 166

S.P. 241 - L.D. 810

**An Act to Clarify the Duties of the
Office of the Public Advocate****Be it enacted by the People of the State of
Maine as follows:****Sec. 1. 35-A MRSA §1702-A** is enacted to read:**§1702-A. Evaluation of needs and resources****1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.**A.** "Low-income consumers" means residential consumers for whom paying public utility bills is difficult or impossible without some form of assistance or government aid;**B.** "Residential consumers" means consumers who take public utility service for domestic purposes; and**C.** "Small business consumers" means commercial consumers that employ fewer than 100 employees.**2. Intent.** It is the intent of the Legislature that the resources of the Public Advocate be devoted to the maximum extent possible to ensuring adequate representation of the interests of those consumers whose interests would otherwise be inadequately represented in matters within the jurisdiction of the commission.**3. Priority.** When the interests of consumers differ, the Public Advocate shall give priority to representing the interests of consumers in the following order:**A.** Low-income consumers;**B.** Residential consumers;**C.** Small business consumers; and**D.** Other consumers whose interests the Public Advocate finds to be inadequately represented.This subsection does not require the Public Advocate to represent the interests of a consumer or group of consumers if the Public Advocate determines that such representation is adverse to the overall interests of the using and consuming public.

See title page for effective date.

CHAPTER 167

S.P. 395 - L.D. 1292

**An Act to Extend the Removal
Deadline for Certain Repaired
Concrete Underground Oil Storage
Tanks****Be it enacted by the People of the State of
Maine as follows:****Sec. 1. 38 MRSA §563-A, sub-§8,** as enacted by PL 1991, c. 494, §2, is amended to read:**8. Repaired concrete underground oil storage tanks.** The requirements of subsection 1 do not apply to underground oil storage tanks that are constructed primarily of concrete and that:**A.** Exceed 100,000 gallons in capacity;**B.** Have been repaired after December 31, 1988;**C.** Have environmental monitoring and other leak detection procedures approved by the commissioner, including monthly visual monitoring for oil; and**D.** ~~Have stored~~ Store only #6 fuel oil since January 1, 1994.After October 1, ~~1997~~ 2000 or after a documented leak or subsurface discharge of oil, a person may not operate, maintain or store oil in a concrete underground oil storage facility or tank exempt under this subsection. An owner or operator of a concrete underground oil storage tank exempt under this subsection is not eligible for coverage from the fund of clean-up costs and 3rd-party damage claim costs under section 568-A for any discharge discovered at that tank after October 1, 1997.

See title page for effective date.

CHAPTER 168

H.P. 717 - L.D. 981

**An Act to Amend the Revised Maine
Securities Act****Be it enacted by the People of the State of
Maine as follows:****Sec. 1. 32 MRSA §10301, sub-§2,** as enacted by PL 1985, c. 400, §2, is amended to read:**2. Employment of unlicensed persons.** It is unlawful for any issuer or broker-dealer licensed under this Act to employ or contract with a person as a