

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

SECOND REGULAR SESSION
January 2, 2002 to April 25, 2002

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 25, 2002

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

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Augusta, Maine
2002

D. Periodically evaluate, in consultation with affected interests, the State's regulatory systems as they affect the generation, transmission, delivery or use of energy, and recommend appropriate action, as needed, to improve energy planning and coordination;

E. Study specific energy issues and problems of state-level significance in order to develop sound, coordinated policies; and

F. Seek cooperation from federal agencies with jurisdiction over energy matters to ensure that their programs and projects serve the best interests of the State.

3. Quarterly meetings; staff. The council shall meet at least quarterly. The council shall prepare a work program for each year establishing priorities among its efforts. The State Planning Office, within the Executive Department, shall provide staff support. Each member of the council shall enter into an agreement with the State Planning Office to share in the cost of providing the staff support.

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 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. After receiving a report under this subsection, the joint standing committee of the Legislature having jurisdiction over utilities and energy matters may report out legislation relating to energy policy.

5. Examination of state energy use. The council shall monitor and evaluate energy use by State Government. The council shall examine and provide guidance and advice to relevant agencies on how the State may use energy more efficiently, consume less energy and purchase energy, including electricity, more economically. The council shall coordinate its activities with the Clean Government Initiative established under Title 38, section 343-H. The council shall evaluate the progress of the State in meeting the energy reduction goal established under section 1770, subsection 1 and advise the Department of Administrative and Financial Services on means of achieving that goal. In its annual report submitted pursuant to subsection 4, the council shall describe its activities pursuant to this subsection.

6. Energy planning assistance for small businesses. The council shall develop information resources and coordinate the activities of member agencies to help small businesses use energy more efficiently, consume less energy and purchase energy, including electricity, more economically. The council shall form an advisory group of persons with relevant expertise and experience to advise the council in undertaking its responsibilities under this subsection. In its annual report submitted pursuant to subsection 4, the council shall describe its activities pursuant to this subsection.

See title page for effective date.

CHAPTER 631

H.P. 1533 - L.D. 2036

An Act to Increase Home Ownership

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

Sec. 1. 30-A MRSA §4907, sub-§1, as amended by PL 1997, c. 491, §1, is further amended to read:

1. Limitations on amount of outstanding principal. The Maine State Housing Authority may not at any time have an aggregate principal amount outstanding, in excess of ~~\$1,650,000,000~~ \$2,150,000,000 of mortgage purchase bonds secured by the Housing Reserve Fund or a Capital Reserve Fund to which section 4906, subsection 3, paragraph A applies. Mortgage purchase bonds of the Maine State Housing Authority secured by capital reserve funds to which section 4906, subsection 3, paragraph A does not apply, bond or mortgage insurance, direct or indirect contract with the United States, purchase or repurchase agreement of guaranty with a banking or other financial organization or other credit arrangements securing the bonds may be issued up to \$100,000,000 per calendar year in an aggregate principal amount outstanding at any time not to exceed \$300,000,000.

Sec. 2. Maine State Housing Authority to adopt policy. The Maine State Housing Authority, referred to in this section as "MSHA," shall adopt a policy to prohibit the owner of a former MSHA-financed multifamily housing project from participating in MSHA programs funded with bond proceeds backed by the State's moral obligation if the owner defaulted under the MSHA financing, resulting in a foreclosure or acceptance of a deed in lieu of foreclosure of the mortgage securing the MSHA financing. The policy may allow a waiver of the policy for public policy reasons. The waiver must be in writing, be

signed by the director of MSHA and state the justification for the waiver.

See title page for effective date.

CHAPTER 632

H.P. 1401 - L.D. 1840

An Act to Amend the Uniform Commercial Code, Article 9-A

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

Sec. 1. 11 MRSA §9-1525, sub-§(1), ¶(b), as amended by PL 2001, c. 286, §11, is further amended to read:

(b) Thirty dollars if the record is communicated in writing and consists of more than 2 pages; ~~and~~

Sec. 2. 11 MRSA §9-1525, sub-§(1), ¶(c), as enacted by PL 1999, c. 699, Pt. A, §2 and affected by §4, is amended to read:

(c) Ten dollars if the record is communicated by another medium authorized by filing-office rule; ~~and~~

Sec. 3. 11 MRSA §9-1525, sub-§(1), ¶(d) is enacted to read:

(d) Zero if the record is a termination statement as described in section 9-1513 that relates to an initial financing statement filed on or after July 1, 1993 and before July 1, 2001, and is communicated in writing or by another medium authorized by filing-office rule.

Sec. 4. 11 MRSA §9-1525, sub-§(2), ¶(a), as enacted by PL 1999, c. 699, Pt. A, §2 and affected by §4, is amended to read:

(a) Sixty dollars if the financing statement indicates that it is filed in connection with a public-finance transaction and if the record is communicated in writing. Thirty dollars if the record is communicated by another medium authorized by filing-office rule; and

Sec. 5. 11 MRSA §9-1525, sub-§(2), ¶(b), as amended by PL 2001, c. 286, §12, is further amended to read:

(b) Forty dollars if the financing statement indicates that it is filed in connection with a manufactured-home transaction and if the record is communicated in writing. Twenty dollars if the record is communicated by another medium authorized by filing-office rule.

See title page for effective date.

CHAPTER 633

S.P. 686 - L.D. 1888

An Act to Allow Mechanics Licensed by the Manufactured Housing Board to Install and Maintain Oil Tanks

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

Sec. 1. 32 MRSA §2351, as amended by PL 2001, c. 260, Pt. E, §§1 and 2, is further amended to read:

§2351. Appointment; vacancies; removal; compensation

The Oil and Solid Fuel Board, as established by Title 5, section 12004-A, subsection 27, and in this chapter called the "board," consists of the Commissioner of Public Safety or a representative and ~~5~~ 6 other members, called in this chapter the "appointive members," who are appointed by the Governor.

~~Three~~ Four of the appointive members must be oil burner technicians who are active in the trade. One of the members must have at least 5 years' experience and the other ~~2~~ 3 members must have at least 10 years' experience as oil burner technicians. ~~Nominees for appointment of the oil burner technician members may be recommended to the Governor by the Maine Oil Dealers Association. Of those members, 2 members may be recommended by the Maine Oil Dealers Association; one member may be recommended by a national association of oil heat service managers with a chapter in the northern part of the State; and one member may be recommended by a national association of oil heat service managers with a chapter in the southern part of the State.~~ One of the appointive members must be a representative of the solid fuel burning industry and one must be a representative of the public.

The appointive members are appointed for terms of 4 years. Appointments of members must comply with section 60.

Any appointive member of the board may be removed from office by the Governor for cause.