

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

FIRST SPECIAL SESSION
November 13, 2002 to November 14, 2002

ONE HUNDRED AND TWENTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 4, 2002 to June 14, 2003

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
FEBRUARY 13, 2003

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 13, 2003

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

Penmor Lithographers
Lewiston, Maine
2003

Sec. 3. Report. Resolved: That the Public Utilities Commission shall submit the results of its examination, together with any proposed legislation, to the Joint Standing Committee on Utilities and Energy by December 31, 2003. The commission's analysis must present consensus positions where possible and alternatives where agreement can not be reached; and be it further

Sec. 4. Authority to report legislation. Resolved: That the Joint Standing Committee on Utilities and Energy may report out legislation to the Second Regular Session of the 121st Legislature on the subject matter of the Public Utilities Commission's examination.

See title page for effective date.

CHAPTER 46

H.P. 1091 - L.D. 1494

Resolve, Regarding Legislative Review of Chapter 306: Information Disclosure Rule Amendment, 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 Revised Statutes, Title 5, chapter 375, subchapter 2-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 306: Information Disclosure Rule Amendment, a provisionally adopted major substantive rule of the Public Utilities Commission that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375,

subchapter 2-A, is authorized only if the rule is modified as follows:

1. In that portion designated §2 (B) (4), the sentence is removed that provides that fuel cells and geothermal, solar, tidal and wind power must be separately identified on the label only if contained in the competitive electricity provider's actual fuel mix; and

2. The sample label attached to the rule is amended as necessary to conform with the change required under subsection 1.

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 May 23, 2003.

CHAPTER 47

H.P. 1143 - L.D. 1560

Resolve, Regarding Legislative Review of Chapter 1: Community Industrial Building Program, a Major Substantive Rule of the Maine Rural Development Authority

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 Revised Statutes, Title 5, chapter 375, subchapter 2-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