

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 1, 2004 to March 30, 2005

FIRST SPECIAL SESSION
April 4, 2005 to June 18, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 17, 2005

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

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Lewiston, Maine
2005

complaint shall have authority to enter the place of business or employment of any employer or employees in the State, as defined in section 663, for the purpose of examining and inspecting such records; and copy any or all of such records as ~~he or his~~ the director or the director's authorized representative ~~may deem~~ determines necessary or appropriate. ~~Any and all~~ All information ~~so~~ received ~~shall be~~ is considered as confidential and ~~shall may~~ not be divulged to any other person or agency, except ~~insofar~~ as may be necessary for the enforcement of this subchapter.

See title page for effective date.

CHAPTER 90

S.P. 374 - L.D. 1057

An Act To Establish and Implement the Maine STEP-UP Program

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

Sec. 1. 38 MRSA §343-I is enacted to read:

§343-I. Smart Tracks for Exceptional Performers and Upward Performers Program

The Smart Tracks for Exceptional Performers and Upward Performers Program, known as "the STEP-UP Program" and referred to in this section as "the program," is established within the department and administered by the commissioner. In cooperation with program participants, the department shall establish guidelines for the program. The department shall create a contractual relationship between the commissioner and state organizations and businesses to achieve sustainability objectives, including energy and natural resources conservation. For the purposes of the program, "sustainability" means meeting the needs of the present without compromising the ability of future generations to meet their needs. The program must include a variety of sustainability tracks and goals and must be publicized at local and state levels. Beginning January 2006 and biennially thereafter, the department shall report to the joint standing committee of the Legislature having jurisdiction over natural resources matters on the status of the program, progress toward meeting goals and recommended changes to improve the program.

See title page for effective date.

CHAPTER 91

H.P. 214 - L.D. 289

An Act To Protect Consumers and To Modernize Heating Oil Rules and Reporting Requirements

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

Sec. 1. 5 MRSA §3304, sub-§3, ¶M, as enacted by PL 1989, c. 501, Pt. DD, §7, is amended to read:

~~M. Administer any emergency fuel allocation program described in section 3307-D and have~~ Have the authority to collect inventory and product delivery data from the State's primary storage facilities of petroleum products, as described in section 3307-C, and shall afford confidential treatment to that information; and

Sec. 2. 5 MRSA §3307-C, sub-§5, ¶A, as enacted by PL 1999, c. 758, §3, is repealed.

Sec. 3. 5 MRSA §3307-C, sub-§5, ¶B, as enacted by PL 1999, c. 758, §3, is amended to read:

B. If the State Planning Office determines, based on available information, that there is or may be a significant shortfall in supply inventories or anticipated deliveries into the State of home heating oil ~~or kerosene~~, a report including:

- (1) The information that suggests a supply shortfall;
- (2) Current and anticipated inventories of home heating oil and kerosene storage supplies; and
- (3) Any recommendations of the State Planning Office for actions by the State in response to the anticipated supply shortfall; and

Sec. 4. 5 MRSA §3307-C, sub-§5, ¶C is enacted to read:

C. A report on inventories, deliveries, curtailments, shortfalls or other matters relating to the availability of petroleum products in this State, at the request of the joint standing committee of the Legislature having jurisdiction over utilities and energy matters.

Sec. 5. 5 MRSA §3307-D, as amended by PL 1997, c. 455, §31, is repealed.

See title page for effective date.