

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 20, 2007

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

Penmor Lithographers
Lewiston, Maine
2007

stated to the levels of coverage in effect immediately prior to the unpaid military leave. A request for reinstatement by the employee must be made within 31 days of the employee's return to work following unpaid military leave. An employee who wants to be reinstated and who does not apply for reinstatement within 31 days of the employee's return to work from unpaid military leave must produce evidence of insurability at the employee's own expense and in accordance with the requirements of the insurance underwriter.

Sec. 3. Retroactivity. This Act applies retroactively to any employee who is on military leave on or after January 1, 2007.

See title page for effective date.

CHAPTER 18

H.P. 37 - L.D. 36

An Act To Transfer the Administration of the Renewable Resource Fund from the State Planning Office to 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 Executive Department, State Planning Office has the authority to administer the Renewable Resource Fund in the current fiscal year, which ends June 30, 2007; and

Whereas, transferring the authority to administer the Renewable Resource Fund to the Public Utilities Commission on July 1, 2007 will ensure that there is no lapse in spending authority during the transition of administrative responsibility for the fund; 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 enacted by the People of the State of Maine as follows:

Sec. 1. 35-A MRS §3210, sub-§5, as amended by PL 1999, c. 372, §1 and PL 2003, c. 20, Pt. OO, §2 and affected by §4, is further amended to read:

5. Funding for research and development; community demonstration projects. The commission by rule shall establish and administer a program

allowing retail consumers of electricity to make voluntary contributions to fund renewable resource research and development and to fund ~~demonstration~~ community demonstration projects using renewable energy technologies. ~~The State Planning Office shall administer the program.~~ The program must:

A. Include a mechanism for customers to indicate their willingness to make contributions;

B. Provide that transmission and distribution utilities collect and account for the contributions and forward them to the commission;

C. Provide for a distribution of the funds to the University of Maine System, the Maine Maritime Academy or the Maine Community College System for renewable resource research and development; and

D. Provide for a distribution of the funds to Maine-based nonprofit organizations that qualify under the federal Internal Revenue Code, Section 501(c)(3), consumer-owned ~~electric cooperatives~~ transmission and distribution utilities, community-based nonprofit organizations and community action programs, municipalities, quasi-municipal corporations or districts as defined in Title 30-A, section 2351 and school administrative units as defined in Title 20-A, section 1 for ~~demonstration~~ community demonstration projects using renewable energy technologies.

Rules adopted under this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter ~~H-A 2-A~~.

Sec. 2. 35-A MRS §3210, sub-§6, as enacted by PL 1999, c. 372, §2, is amended to read:

6. Fund. There is established the Renewable Resource Fund, referred to in this subsection as the "fund." The fund is a nonlapsing fund administered by the ~~State Planning Office~~ commission. All funds collected by the commission pursuant to subsection 5 must be deposited in the fund for distribution by the ~~State Planning Office~~ commission in accordance with subsection 5. The ~~State Planning Office~~ commission may seek and accept funding for the program established pursuant to subsection 5 from other sources, public or private. Any funds accepted for use in the program established pursuant to subsection 5 must be deposited in the fund.

Sec. 3. 35-A MRS §3210, sub-§6-A is enacted to read:

6-A. Renewable Resource Fund report. The commission shall report by December 1st of each year to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters on the Renewable Resource Fund established in subsection 6 and referred to in this subsection as "the fund." The report must include:

A. A description of actions taken by the commission pursuant to subsections 5 and 6 during the prior 12 months;

B. An accounting of total deposits into and expenditures from the fund during the prior 12 months; and

C. A description of any research and development or community demonstration project that received a distribution from the fund during the prior 12 months, including its objectives, current status and results.

Sec. 4. Appropriations and allocations.

The following appropriations and allocations are made.

EXECUTIVE DEPARTMENT

Renewable Resource Fund 0912

Initiative: Deallocates funds due to a transfer of the Renewable Resource Fund currently administered by the Executive Department, State Planning Office to the Public Utilities Commission.

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
All Other	(\$500)	(\$500)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$500)	(\$500)

EXECUTIVE DEPARTMENT

DEPARTMENT TOTALS	2007-08	2008-09
OTHER SPECIAL REVENUE FUNDS	(\$500)	(\$500)
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	(\$500)	(\$500)

PUBLIC UTILITIES COMMISSION

Renewable Resource Fund 0912

Initiative: Allocates funds to allow a transfer of the Renewable Resource Fund currently administered by the Executive Department, State Planning Office to the Public Utilities Commission. This allocation will provide funding for initiatives through revenue fund transfers and authorizes the use of the estimated balance forward.

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
PUBLIC UTILITIES COMMISSION		
DEPARTMENT TOTALS	2007-08	2008-09
OTHER SPECIAL REVENUE FUNDS	\$500	\$500
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	\$500	\$500
SECTION TOTALS	2007-08	2008-09
OTHER SPECIAL REVENUE FUNDS	\$0	\$0
	<hr/>	<hr/>
SECTION TOTAL - ALL FUNDS	\$0	\$0

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect July 1, 2007.

Effective July 1, 2007.

CHAPTER 19

H.P. 173 - L.D. 202

An Act To Allow the Municipal Clerk To Inspect Municipal Election Ballots

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

Sec. 1. 30-A MRSA §2528, sub-§6-B is enacted to read:

6-B. Inspection of ballots in an election. Upon receipt of a package or box containing absentee ballots for an election, the municipal clerk may open the sealed package or box of ballots and verify that the ballots do not contain any errors and that the correct number of ballots has been received. The clerk may then proceed to issue absentee ballots in response to pending requests. Upon receipt of a package or box containing regular ballots for an election, the clerk may open, in the presence of one or more witnesses, the sealed package or box of ballots and verify that the ballots do not contain any errors and that the correct number of ballots has been received. Ballots to be used for testing electronic tabulating devices may be re-