

# 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.**

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2007**

coverage for employment practices liability insurance. The report may include recommendations for any necessary legislation. The Joint Standing Committee on Insurance and Financial Services may submit legislation based on the superintendent's report to the Second Regular Session of the 123rd Legislature.

See title page for effective date.

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**CHAPTER 126  
H.P. 643 - L.D. 844**

**An Act To Change the Name of  
the Division of Labor Market  
Information Services to the  
Center for Workforce  
Research and Information**

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

**Sec. 1. 26 MRSA §1401-A, sub-§2, ¶F,** as enacted by PL 1995, c. 560, Pt. G, §15, is amended to read:

F. ~~The Division of Labor Market Information Services~~ Center for Workforce Research and Information;

**Sec. 2. 26 MRSA §2031, sub-§3,** as enacted by PL 1995, c. 665, Pt. DD, §5 and affected by §12, is amended to read:

**3. Interdepartmental review team.** An application for funding under the program must be reviewed by an interdepartmental review team. The review team consists of 2 representatives from the Department of Labor, one of whom must be from the ~~Division of Labor Market Information Services~~ Center for Workforce Research and Information, and 2 representatives from the Department of Economic and Community Development.

See title page for effective date.

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**CHAPTER 127  
H.P. 844 - L.D. 1151**

**An Act To Streamline the  
Review of Minor Tariff Filings  
of Consumer-owned Water  
Utilities**

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

**Sec. 1. 35-A MRSA §310, sub-§3,** as amended by PL 1999, c. 398, Pt. A, §14 and affected by §§104 and 105, is further amended to read:

**3. Exception: Municipal and quasi-municipal water utilities and consumer-owned transmission and distribution utilities.** This section does not apply to:

A. Municipal or quasi-municipal corporations that are water utilities within the definition of section 102, any provisions in any charter notwithstanding, and that elect to proceed pursuant to the terms of section 6104, unless by the express terms of section 6104 the provisions of this section are made applicable to those corporations; or

A-1. Municipal or quasi-municipal corporations that are water utilities within the definition of section 102, any provisions in any charter notwithstanding, and that file a change in a schedule pursuant to section 307 that changes rates, tolls or charges for service other than the provision of water, only if the cumulative revenue impact of all such changes that become effective within any consecutive 12-month period does not exceed 1% of the utility's total annual revenue; or

B. Consumer-owned transmission and distribution utilities organized in accordance with chapter 35, unless by the express terms of chapter 35 the provisions of this section are made applicable to those districts.

See title page for effective date.

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**CHAPTER 128  
H.P. 731 - L.D. 971**

**An Act To Amend Certain  
Animal Health Laws**

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

**Sec. 1. 7 MRSA §1809,** as amended by PL 2005, c. 397, Pt. B, §3, is further amended to read:

**§1809. Permits for state entry**

**1. Permit required.** The commissioner may require a person who imports animals or avian hatching eggs into the State to obtain a permit before the time of entry. When a permit is required, the permit or permit number must accompany the shipment. The commissioner may refuse to grant a permit or may issue one subject to quarantine at destination if the animals or avian hatching eggs do not meet importation requirements or do not comply with the inland fisheries and wildlife laws and rules adopted by the Commissioner of Inland Fisheries and Wildlife under Title 12, chapter 915, subchapter 15 or Title 12, section 12102 or 12704. The commissioner may require the owner to have those animals or avian hatching eggs tested or examined by a veterinarian at the

owner's expense. The commissioner may release those animals or avian hatching eggs from quarantine only after the commissioner is satisfied that they are not a disease threat to other animals or humans.

When an animal or avian hatching egg is brought into the State without a required permit, the commissioner or the Commissioner of Inland Fisheries and Wildlife may condemn the animal and order it euthanized without indemnity or condemn the avian hatching egg and order it destroyed without indemnity. For purposes of this section, "avian hatching egg" means an egg of a bird species that is fertile and handled, transported and stored in a manner that maintains its viability. "Avian hatching egg" does not include fertile eggs marketed for human consumption.

**2. Rules.** The commissioner shall adopt rules to establish importation requirements necessary to maintain the health of domestic animals. The commissioner, in consultation with the Commissioner of Inland Fisheries and Wildlife, shall maintain a list of animals for which a permit is required and conditions under which a permit is required for avian hatching eggs prior to entering the State. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter ~~H-A~~ 2-A.

See title page for effective date.

**CHAPTER 129**

**H.P. 1172 - L.D. 1663**

**An Act To Modify Daylight Savings Time According to Federal Statute**

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

**Sec. 1. 1 MRSA §151**, as amended by PL 1987, c. 769, Pt. B, §1, is repealed and the following enacted in its place:

**§151. "Standard Time"**

The standard time for the State is the time as determined by 15 United States Code, Sections 260 to 267.

See title page for effective date.

**CHAPTER 130**

**H.P. 1293 - L.D. 1857**

**An Act To Allow Members of the Maine National Guard To Run for Office in a Partisan Public Election**

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

**Sec. 1. 5 MRSA §7056-A, sub-§4**, as enacted by PL 1997, c. 498, §6, is amended to read:

**4. Candidacy for elective office.** An officer or employee in the classified service or an employee from the executive branch in the unclassified service of this State, except for an officer or enlisted person in the Maine National Guard, may not be a candidate for elective office in a partisan public election other than for a local office. This subsection may not be construed as ~~to prohibit~~ prohibiting an officer or employee of the State from being a candidate in an election if none of the candidates is nominated or elected at that election as representing a party whose candidates for presidential elector received votes in the last preceding election during which presidential electors were selected. Law enforcement officers continue to be subject to departmental rules regarding procedures on candidacy.

See title page for effective date.

**CHAPTER 131**

**S.P. 563 - L.D. 1619**

**An Act To Amend the Laws Regarding Adult Education**

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

**Sec. 1. 20-A MRSA §8601**, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

**§8601. Purpose**

Since education is a lifelong process, it is declared to be the policy of the State to provide and encourage the growth of educational opportunities and, where applicable, to ensure career, citizenship and college readiness for all adults.

**Sec. 2. 20-A MRSA §8601-A**, as amended by PL 2005, c. 519, Pt. I, §3, is further amended to read:

**§8601-A. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.