

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

participation in the energy supply business. The review must be conducted through a public investigative proceeding. For the purposes of this section, "energy supply business" includes owning, operating or having an interest in electric generation facilities, load management activities or demand-side management activities. The review must address, but is not limited to:

1. The laws and rules that would need to be changed to allow electric utilities to participate in the energy supply business;

2. Potential impacts of electric utility participation in the energy supply business on unregulated generators of electricity and on competitive electricity providers;

3. Potential impacts of electric utility participation in the energy supply business on consumers of electricity;

4. The relative advantages and disadvantages of various methods and options for allowing utility participation in the energy supply business;

5. Options for regulatory oversight and approval of electric utility participation in the energy supply business;

6. Options for restricting electric utility participation in the energy supply business in terms of the size or type of generation facility, total production, as measured in megawatts, and fuel source, including limiting production to renewable resources;

7. Specific issues presented by the participation of consumer-owned electric utilities in the energy supply business;

8. Options for obtaining additional benefits for electricity consumers as a result of the State's participation in regional arrangements and the State's role in siting new electricity generation facilities to serve the regional market; and

9. Potential stranded costs and the recovery of any stranded costs that may be associated with electric utility participation in the energy supply business; and be it further

Sec. 2. Report. Resolved: That, no later than January 15, 2008, the Public Utilities Commission shall report its findings and recommendations for further action and legislation to implement its recommendations to the Joint Standing Committee on Utilities and Energy; and be it further

Sec. 3. Authority to submit legislation. Resolved: That the Joint Standing Committee on Utilities and Energy may submit legislation relating to the subject matter of this resolve to the Second Regular Session of the 123rd Legislature.

See title page for effective date.

CHAPTER 55
H.P. 1175 - L.D. 1666

**Resolve, To Promote Energy
Conservation in Schools**

Sec. 1. Plan for energy efficiency and conservation in schools. Resolved: That the Public Utilities Commission shall develop a plan to increase energy efficiency and conservation in school facilities in the State, to promote opportunities for school administrative units to participate in the Public Utilities Commission's Efficiency Maine programs and to encourage data collection on school energy consumption and costs. The commission shall report on the plan as part of the annual report required under the Maine Revised Statutes, Title 35-A, section 3211-A, subsection 11.

See title page for effective date.

CHAPTER 56
H.P. 847 - L.D. 1154

**Resolve, Directing the
Department of Transportation
To Expend Funds for Fisheries
and Waterfront Initiatives**

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 120th Legislature appropriated \$1,000,000 from the proceeds of the sale of the Portland Drydock for certain purposes identified in Public Law 2001, chapter 83, Part A, section 6; and

Whereas, the identified purposes included the establishment of a dredging and marine infrastructure loan fund; and

Whereas, the Department of Transportation executed a Letter of Agreement with Coastal Enterprises, Inc. granting to that entity \$1,000,000 to administer its working waterfront loan fund to be used in Portland Harbor; and

Whereas, the fund has never achieved the goals originally identified; and

Whereas, the original intent of the fund would be best served by expanding the availability of the funds to other users for other purposes; 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 preserva-

tion of the public peace, health and safety; now, therefore, be it

Sec. 1. Working Waterfront Loan Fund. Resolved: That, notwithstanding Public Law 2001, chapter 83, Part A, section 6, the uses of Coastal Enterprises, Inc.'s working waterfront loan fund must be expanded beyond the uses identified in Public Law 2001, chapter 83, Part A, section 6. The Department of Transportation shall enter into an agreement with Coastal Enterprises, Inc. under which \$500,000 of the working waterfront loan fund is returned to the department for allocation to the Portland Fish Pier Authority for capital improvements and the remaining amount in the fund is made available to Coastal Enterprises, Inc. for use in fisheries and waterfront initiatives along the State's coast; and be it further

Sec. 2. Amend agreement. Resolved: That the Department of Transportation shall terminate its current agreement for the administration of Coastal Enterprises, Inc.'s working waterfront loan fund, as contained in the Letter of Agreement between the Department of Transportation and Coastal Enterprises, Inc., dated August 30, 2001 and amended on October 30, 2002, to carry out the intent of this legislation; and be it further

Sec. 3. Report. Resolved: That the Department of Transportation shall report back to the Joint Standing Committee on Transportation no later than November 15, 2007 on its efforts to carry out the intent of this legislation; and be it further

Sec. 4. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**TRANSPORTATION, DEPARTMENT OF
Ports and Marine Transportation 0323**

Initiative: Allocates funds on a one-time basis to provide a grant to the Portland Fish Pier Authority for capital improvements.

MARINE PORTS FUND	2007-08	2008-09
All Other	\$500,000	\$0
MARINE PORTS FUND	\$500,000	\$0
TOTAL		

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective June 5, 2007.

**CHAPTER 57
H.P. 434 - L.D. 556**

**Resolve, To Achieve Cost
Savings of 7% in State
Government**

Sec. 1. State departments directed to conduct evaluation of operations for cost savings. Resolved:

That each state department shall evaluate its operations to determine if any of its programs or personnel could be reduced by 7%. When conducting this evaluation, each department shall consider reducing those programs or personnel, including those employees eligible for retirement, the reduction of which would have the least impact on the ability of the department to complete its mission. Each department shall report the results of its evaluation and any potential cost savings to the Commissioner of Administrative and Financial Services at a date to be determined by the commissioner that is consistent with the supplemental budget process.

See title page for effective date.

**CHAPTER 58
S.P. 241 - L.D. 792**

**Resolve, To Direct the
Department of Health and
Human Services To Review
and Report on Efforts
Concerning Postpartum
Mental Health Education**

Sec. 1. Work group. Resolved: That the Department of Health and Human Services shall convene, in coordination with the Maine Primary Care Association, a work group that will review existing efforts in Maine concerning education and screening for postpartum depression. In addition to the Department of Health and Human Services and the Maine Primary Care Association, the work group must include the Maine Medical Association; the Perinatal Mental Health Alliance of Southern Maine; Southern Maine Medical Center; Mid Coast Hospital; the Postpartum Support Center of Maine; Postpartum Support International, Maine Chapter; other related advocacy groups; and representatives of medical and mental health professionals and groups as well as hospitals with expertise in primary or family care, obstetrics, gynecology, pediatrics, postpartum depression and other interested parties; and be it further

Sec. 2. Charge of work group. Resolved: That the work group under section 1 shall review efforts for screening and education related to postpartum depression, including but not limited to: