

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 164, SUBSECTION 6.

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PORTLAND LITHOGRAPH COMPANY  
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1977

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PUBLIC LAWS  
OF THE  
**STATE OF MAINE**

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ONE HUNDRED AND EIGHTH LEGISLATURE

1977

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to the Legislative Council within the same time period its findings and recommendations, including copies of any recommended legislation in final draft form. The Attorney General, the Commissioner of Mental Health and Corrections and the Commissioner of Human Services are directed to assist the committee in this study.

**Sec. 25. Legislative intent; effective date.** The Legislature recognizes that there are inevitably errors and unforeseen problems in the enactment of any major revision of an area of law such as the Maine Juvenile Code and realizes that amendments to the code will almost certainly be necessary. The Legislature believes that the enactment of the code at this time, with a delayed effective date to allow for study and amendment, will insure greater participation in this process by members of the public and by persons with special knowledge than would a study of proposed legislation that has not yet been enacted. Therefore, this Act shall take effect on July 1, 1978, except that Title 15, section 3403 shall take effect 90 days after adjournment of this session of the Legislature.

Effective July 1, 1978

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## CHAPTER 521

### AN ACT to Encourage Energy Conservation by Means of Reform of Utility Rate Designs.

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

35 MRSA c. 4-A is enacted to read:

#### CHAPTER 4-A

#### ELECTRIC RATE REFORM ACT

##### § 91. Title

This chapter shall be known as the "Electric Rate Reform Act."

##### § 92. Policy and findings

The Legislature declares and finds that improvements in electric utility rate design and related regulatory programs have great potential for reducing the cost of electric utility services to consumers, for encouraging energy conservation and efficient use of existing facilities and for minimizing the need for expensive new electrical generating and transmission capacity. It is the purpose of this chapter to require the Public Utilities Commission to relate electric rates more closely to the costs of providing electric service.

##### § 93. The Public Utilities Commission shall develop proposals to improve electrical utility rate design

The commission, as it determines appropriate, shall order electric public utilities to submit specific rate design proposals and related programs for implementing energy conservation techniques and innovations, either in conjunction with or independently of any rate-making proceeding pending before the commission. Such proposals shall, as the commission determines, be designed to encourage energy conservation, minimize the need for new electrical generating capacity, and minimize costs of electricity to consumers, and shall include, but not be limited to, proposals which provide for the development and implementation of:

1. Load management. Load management techniques;
2. Marginal costs of service. Rates which reflect marginal costs of services at different voltages, times of day or seasons of the year;
3. Policies. Policies which encourage economic use of fuel; and
4. Rates or regulatory policies. Rates or other regulatory policies which encourage electric utility system reliability.

§ 94. The Public Utilities Commission shall require the necessary improvements

The Public Utilities Commission shall mandate, after notice and hearing on the proposed schedule, a scheduled phasing-in of the improvements in electric utility rate design and related regulatory programs approved under section 93 and is authorized to order utilities to develop and implement electric utility rate design improvements approved by the commission on temporary, pilot and experimental basis, affecting either a portion or all of any class of consumers of any utility as the commission may determine is appropriate to carry out the purposes of this Act, and order other energy conservation techniques, programs and innovations relating to electric public utility service that, in the commission's judgment, are practicable, just and reasonably related to fulfilling the purposes of this chapter. In ordering any rate design improvements, the commission shall consider and assure the revenue requirements of the utility.

§ 95. The Department of the Attorney General is authorized to intervene before the commission to protect consumer interests

The Department of the Attorney General, heretofore established by law, is hereby authorized to:

1. Make assessments. Make general factual assessments of the impact of proposed rate changes and other proposed regulatory actions upon all affected consumers;
2. Assist consumers. Assist consumers in the presentation of their positions before utility regulatory commissions;
3. Advocate position. Advocate, on its own behalf, a position which it determines represents the position most advantageous to consumers, taking into account developments in rate design reform; and
4. Obtain grants. Obtain grants pursuant to Public Law 94-385, Section

205 (a), 42 United States Code, Section 6805 and the funds thus made available are to be in addition to, and not in substitution for, funds made available to that department from other sources.

Effective October 24, 1977

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## CHAPTER 522

### AN ACT Concerning Review of Corporate Certificates and Other Documents.

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

**Sec. 1.** 13 MRSA § 903, 3rd sentence, as last repealed and replaced by PL 1975, c. 487, § 3, is amended to read:

After it has been examined by the ~~Attorney General~~ **Secretary of State** and been by him certified to be properly drawn and signed and to be conformable to the Constitution and laws, it shall be recorded in the registry of deeds in the county where said corporation is located, in a book kept for that purpose.

**Sec. 2.** 13 MRSA § 903, last sentence, as repealed and replaced by PL 1977, c. 78, § 108, is amended to read:

~~No fee shall be required by the Attorney General but the~~ **The** Secretary of State shall receive for filing such certificate or amendment thereto, a fee of \$5 in advance and registers of deeds shall receive for recording such certificate or amendment thereto, the fee of \$8.

**Sec. 3.** 13 MRSA § 934, last sentence, as last amended by PL 1971, c. 565, § 6, is further amended to read:

The procedures established in the law relating to corporations organized with capital stock as to the filing or recording of certificates, articles or other documents with the Secretary of State or in any other place in order to make effective changes in their certificates of organization or articles of incorporation shall apply to corporations organized without capital stock, except that such certificates, articles or other documents may be appropriately altered to reflect the fact that the corporate action reflected therein is not taken by stockholders, and may be certified by the ~~Attorney General~~ **Secretary of State** and filed with the Secretary of State even though a change of purposes contained therein will result in such corporation becoming charitable in nature and thus exempt from taxation.

**Sec. 4.** 13 MRSA § 961, 2nd sentence, is amended to read:

Such a consolidation may be effected by vote of the directors, trustee or managing board, however designated, of each of said corporations at a legal