

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
1ST SPECIAL SESSION
JANUARY 2, 1974 TO MARCH 29, 1974
AND BY THE
One Hundred and Seventh Legislature
REGULAR SESSION
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,
SECTION 164, SUBSECTION 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1975

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature

1975

CHAPTER 488

AN ACT Clarifying the Title to Real Estate Included in a Divorce Decree.

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

19 MRSA § 725, as last amended by PL 1971, c. 622, § 61-E, is repealed and the following enacted in place thereof:

§ 725. Descent of real estate in divorce

Any rights acquired under sections 721 and 723 on or before December 31, 1971 and all rights under section 722-A by a party in the real estate of a party are effectual against any person when the decree of divorce, or an abstract thereof setting forth the names and residence of the parties, the date of the decree and the court where granted, is filed in the registry of deeds for the county or registry district where the real estate is situated. The recording of such a decree or abstract, in the manner provided herein, shall have the force and effect of a quitclaim deed releasing all interest in the real estate described in said decree or abstract, whether such interest is in fee or by statute.

The clerk of the court in which the divorce is granted shall at the expiration of any appeal period from such decree make and send such an abstract, for recording, by registered mail, or deliver said abstract, to such registry or registries as required.

When a divorce has been granted out of the State, the plaintiff, or his attorney, shall cause a duly authenticated copy of such order to be recorded with the register of deeds in each of the counties where the real estate or any part thereof is situated.

Effective October 1, 1975

CHAPTER 489

AN ACT to Prohibit the Arbitrary Imposition of Certain Fuel Charges by Electric Power Utilities.

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

Sec. 1. 35 MRSA c. 5, sub-c. II, is enacted to read:

SUBCHAPTER II

FUEL CHARGE OF ELECTRIC UTILITY

§ 131. Billing; regulations; reports; approval

1. **Billing.** The cost of any and all fuel used by an electric utility in generating or supplying electricity to a customer shall be included in the itemized fuel charge and shall be billed at a single uniform rate per kilowatt-hour used by a customer. Such fuel charge shall be the fuel rate multiplied by the number of kilowatt-hours used by a customer. The fuel rate shall be uniform for

all customers of any electric company, and that rate shall be calculated by dividing the total cost of fuel used in generating or supplying electricity which is applicable to a billing period by the total number of kilowatt-hours used by all customers.

2. Regulations. The commission shall establish regulations for the uniform calculation and billing of fuel charges by all electric companies, including provisions for the calculation of such charges by companies which purchase the major portion of their energy requirements from other electric companies. Whenever the commission shall determine that it is in the public interest to incorporate in such uniform calculations the use of any factors in addition to the cost of the total amount of fuel consumed and the total kilowatt-hour usage, it shall do so only after public hearing and by a formal written opinion from the commission; provided, however, that the commission shall review not less than annually the method of calculating all such fuel charges. If an electric company bills customers bimonthly, the fuel charge shall be calculated by multiplying the average of the fuel charge rates applicable to the 2 months in the billing period by the total kilowatt-hours used in that billing period.

3. Reports. The commission shall require electric companies to file monthly reports of fuel cost, purchased power charges, kilowatt-hour usages and income derived from fuel charges. The commission shall examine such reports from time to time and shall order rebates to customers if the total fuel charges billed to customers exceeds the amount required by companies to pay the cost of fuel and purchased power.

Sec. 2. Investigation. The Public Utilities Commission shall investigate and examine the appropriateness of all fuel charges imposed by electric companies after January 1, 1973. The commission shall report the results of such investigation to the Legislature by filing the same with the Legislative Council on or before the first Wednesday in December, 1975, and shall order rebates to customers if the fuel charges billed between January 1, 1973 and the effective date of this Act were not in accordance with the provisions of this Act.

Sec. 3. Transition. Notwithstanding the provisions of section 1 of this Act, any fuel adjustment clause in effect on the effective date of this Act shall remain in effect for 60 days thereafter or until such time as a fuel charge is approved by the Public Utilities Commission pursuant to the provisions of Title 35, section 131.

Effective October 1, 1975

CHAPTER 490

AN ACT Relating to Forester Registration and Licensing.

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

32 MRSA c. 75 is enacted to read: