

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

5. Report. Report and make recommendations to each Legislature with respect to methods of stimulating and encouraging the growth and modernization of agricultural enterprises in this State. Such report shall be made available to the Legislature on the first day of the 3rd week following the convening of the Legislature for the regular session, and on the first day of the 2nd week following the convening of the Legislature for the first special session of the year in the year following the year of the regular session. For purposes of obtaining information, the Department of Agriculture may hold public hearings throughout the State, after giving public notice thereof.

Effective October 1, 1975

CHAPTER 585

AN ACT to Provide Lifeline Electrical Service for Older Citizens.

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

Sec. 1. 35 MRSA c. 4 is enacted to read:

CHAPTER 4

OLDER CITIZENS LIFELINE ELECTRICAL SERVICE LAW

§ 81. Title

This chapter shall be known as the Older Citizens Lifeline Electrical Service Law.

§ 82. Policy

It is declared that it is a policy of the State of Maine to insure an adequate electrical utility service to older citizens at a price they can afford. Older citizens today face a special crisis in surviving under the constant increase in the cost of living and particularly in the cost of fuel and utility services. It is the purpose of lifeline electrical service to alleviate the upward spiral in the cost of electrical service to older citizens and at the same time to encourage as well as reward the conservation of scarce energy supplies by adopting the approach of constant per unit cost for the use of electricity. It is the policy of the State that older citizens be able to receive electrical service for basic necessities of modern life, such as lighting and refrigeration, at a stable, fair and reasonable minimum cost and to encourage the reduction of electrical power consumption for all other uses beyond such basic necessities.

§ 83. Definitions

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

1. Household. "Household" means a claimant and spouse and members of the household for whom the claimant under Title 36, chapter 901 is entitled to claim an exemption as a dependent under Title 36, chapter 801 for the year for which relief is requested.

2. Household income. "Household income" means all income received by all persons of a household in a calendar year while members of the household.

3. Income. "Income" means the sum of Maine adjusted gross income determined in accordance with Title 36, chapter 801, the amount of capital gains excluded from adjusted gross income, alimony, support money, nontaxable strike benefits, the gross amount of any pension or annuity including railroad retirement benefits, all payments received under the Federal Social Security Act, state unemployment insurance laws, and veterans disability pensions, nontaxable interest received from the Federal Government or any of its instrumentalities, workmen's compensation and the gross amount of "loss of time" insurance, cash public assistance and relief, but not including relief granted under Title 36, chapter 901. It does not include gifts from nongovernmental sources or surplus foods or other relief in kind supplied by a governmental agency.

4. Older citizens. "Older citizens" means a residential customer 62 years or older.

5. Residential customer. "Residential customer" means an individual who maintains a permanent place of abode within this State and is present in this State for more than an aggregate of 183 days each year.

§ 84. Lifeline demonstration program

The Public Utilities Commission shall establish the rules and procedures for, and put into operation, a demonstration lifeline electrical service program that shall include the following:

1. Selection of size of municipality. Selection of a medium-sized municipality, 2,500 to 10,000 population, and a large municipality, population over 10,000, in each of the service areas of the Central Maine Power Company, the Bangor Hydro-Electric Company and the Maine Public Service Company, 6 municipalities in all. These 6 municipalities shall be the municipalities in which the demonstration program is conducted.

2. Establish a lifeline rate for a period of 12 months. Establish the lifeline electrical service rate for a period of 12 months. The first rate step of the lifeline rate shall be not more than 3¢ per kilowatt hour for each of the first 500 kilowatt hours of electricity utilized in any monthly billing period. A residential customer who is an older citizen shall pay not more than the lifeline rate for electricity utilized in any month at his principal dwelling. The rate provided by this section shall not be supplemented by any minimum charges, service charge, connection charge or other periodic charge to an older citizen who is a residential customer in a principal dwelling. Where any existing rate for a particular usage level is lower than the lifeline rate established by the commission, the lower rate shall prevail. No claim for lifeline rate otherwise allowable shall be granted to claimants of single member households with household income in excess of \$4,500 for the previous calendar year; and no claim otherwise allowable shall be granted to claimants of households of 2 or more members with income in excess of \$5,000 for the previous calendar year.

All state agencies are authorized to provide whatever support services, informational support, evaluative services and other such assistance as may be requested by the Public Utilities Commission in carrying out the objectives of the demonstration lifeline electrical service program.

§ 85. Review

After the completion of the one-year demonstration program, the Public Utilities Commission shall hold a public hearing or hearings to review the lifeline service rate to insure that it is adequate to effect the purposes of this chapter. It shall report its findings and any recommendations concerning the rate to the Legislature prior to the last day of 1976.

Sec. 2. Transitional provisions.

1. Central Maine Power Company, Bangor Hydro-Electric Company and Maine Public Service Company shall file with the Public Utilities Commission revised tariffs in conformance with this Act in accord with the direction of the commission.

2. In the event that implementation shall cause a loss of revenue to a utility, the additional revenue shall be obtained from all other classes of energy use in a just and reasonable manner.

Effective October 1, 1975

CHAPTER 586

**AN ACT to Establish a 10% Surcharge on Spirituous, Vinous
and Malt Beverages Sold at State Liquor Stores.**

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

28 MRSA § 451, first ¶, last sentence, as enacted by PL 1971, c. 268, § 2, is amended to read:

Notwithstanding the other provisions of this section, the commission, with the approval of the Commissioner of Finance and Administration, may reduce the price of liquor in one store ~~and establish at that store the price to which the 10% discount in section 204 shall be applicable.~~ **The reduced price shall not apply to liquor purchased for resale.**

Effective October 1, 1975

CHAPTER 587

AN ACT Concerning the Office of Energy Resources.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the United States is in the initial stages of a far-reaching energy crisis and is seeking new and alternative sources of energy; and

Whereas, Maine and the Northeast are dependent upon expensive foreign oil which has a significant effect on the State and regional economies; and