

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

**SECOND SPECIAL SESSION**

September 25, 1981

AND

**THIRD SPECIAL SESSION**

December 9, 1981

AND

**SECOND REGULAR SESSION**

January 6, 1982 to April 13, 1982

AND AT THE

**FOURTH SPECIAL SESSION**

April 28, 1982 to April 29, 1982

AND AT THE

**FIFTH SPECIAL SESSION**

May 13, 1982

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

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J.S. McCarthy Co.  
Augusta, Maine  
1981

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
SECOND AND THIRD SPECIAL SESSIONS

and

SECOND REGULAR SESSION

and

FOURTH AND FIFTH SPECIAL SESSIONS

of the

ONE HUNDRED AND TENTH LEGISLATURE

1981

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enacted by PL 1981, c. 453, §1, are amended to read:

Notwithstanding any other provision in this chapter, the State may agree to provide through a collective bargaining contract, and for legislative employees approved by action of the Legislative Council, payment for a member's mandatory contribution to the Maine State Retirement System, as set by section 1095, in lieu of deducting the contribution from a member's compensation. Payments made pursuant to a collective bargaining contract, or through Legislative Council action, shall be accumulated in the Retirement Allowance Fund.

Sec. 3. PL 1981, c. 493, §5, first line, is repealed and the following enacted in its place:

Sec. 5. Legislation for the First Regular Session of the 111th Legislature.

Sec. 4. PL 1981, c. 493, §5, sub-§1, is amended to read:

1. The Department of Corrections shall prepare legislation for presentation to the ~~Second~~ First Regular Session of the ~~110th~~ 111th Legislature on or before ~~January 31, 1982,~~ November 30, 1982, to amend, repeal and rearrange statutes as necessary to reflect the powers, responsibilities and organization of the Department of Corrections.

Sec. 5. **Retroactivity.** Section 2 of this Act shall be retroactive to July 1, 1981.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective April 29, 1982.

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## CHAPTER 701

H.P. 2273 - L.D. 2120

AN ACT to Provide for Improved Energy  
Policy Development and Electricity  
Demand Forecasts.

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

Sec. 1. 5 MRSA §5004, sub-§3, ¶C, as repealed and replaced by PL 1975, c. 587, §1, is amended to read:

C. Be assisted by the New England Power Pool and by departments, agencies, authorities, boards, commissions and other instrumentalities of State Government in the gathering of information, reports and data which relate to state planning and development in the area of energy resources;

Sec. 2. 5 MRSA §5004, sub-§3, ¶I, as repealed and replaced by PL 1975, c. 587, §1, is amended to read:

I. Be responsible for the formulation of a comprehensive biennial state energy resources plan and a state energy policy;

Sec. 3. 5 MRSA §5004, sub-§4, last sentence, as repealed and replaced by PL 1975, c. 587, §1, is amended to read:

The annual report shall include, but is not limited to, the following: The programs developed and implemented by the Office of Energy Resources, the stage of development of the programs, the stage of implementation of the state energy resources plan and the direction of programs planned for the ensuing year.

Sec. 4. 5 MRSA §5005, sub-§1, ¶A, as repealed and replaced by PL 1979, c. 388, §1, is repealed and the following enacted in its place:

A. Prepare an energy resources plan to be submitted to the Governor and the Legislature by September 15, 1983, and every 2 years thereafter.

(1) The plan shall include:

(a) A description of historical energy demand by end use sector and energy resources used to meet that demand;

(b) A forecast of energy demand by end use sector for the next 5, 10 and 20 years, including an electricity demand forecast and the unit cost of the resources that may be utilized to meet that demand. A description of the assumptions upon which the forecasts are based and the probability of error shall

also be provided. This forecast shall include the electric and gas forecast from paragraph B;

(c) A description and quantification of potentially available energy resources for use in the State;

(d) A report on the progress of implementing the last energy resources plan; and

(e) Recommendations for energy policy, including specific recommendations for state action necessary to implement this policy. The recommendations shall include proposals concerning the types and quantity of resources that will meet the future energy demand in the most desirable and feasible manner. Preference shall be given to conservation and renewable resources where they are technically and economically feasible.

(2) The director shall hold a public hearing on the report prior to submission to the Governor and the Legislature.

(3) The director shall assist the Governor in the preparation of a state energy policy.

Sec. 5. 5 MRSA §5005, sub-§1, ¶B, as repealed and replaced by PL 1975, c. 587, §2, is repealed and the following enacted in its place:

B. Prepare a biennial electric and gas energy forecast for use in preparing the biennial energy resources plan. That forecast shall be prepared as follows.

(1) Each electric company serving more than 20,000 customers within the State or gas company serving within the State shall file with the Office of Energy Resources a long-range forecast of demand for the utility's service 5, 10 and 20 years ahead. A forecast prepared to meet this requirement may also be filed by the utility in any proceeding before the Public Utilities Commission.

(2) The director shall prepare a draft forecast based on the information received under subparagraph (1) and any other information available to him, and hold a public hearing to receive comments on the draft. The draft report shall contain:

(a) Projection of the demand for electrical energy and natural gas in the State for the succeeding 5-year, 10-year and 20-year periods;

(b) Identification of supplies and capacity for meeting the electric and gas needs including planned increases in supply and capacity intended to meet that demand and other options for meeting the electric and gas needs, such as conservation or other supplies; and

(c) Such other information as the director deems appropriate.

(3) Within 60 days of the public hearing described in subparagraph (2), the director shall publish a final forecast. That forecast shall be included in the biennial energy resources plan.

(4) The director shall submit a copy of the electric and gas energy forecast to the Public Utilities Commission. The commission may consider the forecast in all relevant proceedings;

**Sec. 6.** 5 MRSA §5005, sub-§1, ¶B-1 is enacted to read:

B-1. Nothing in this section may prohibit the director from preparing additional reports and forecasts in order to carry out the responsibilities of the office;

**Sec. 7.** 5 MRSA §5005, sub-§1, ¶D-1, as enacted by PL 1979, c. 388, §3, is repealed.

**Sec. 8.** 5 MRSA §5006, sub-§2 is enacted to read:

2. Expenditures requiring approval. For all programs involving expenditures of \$10,000 or more, the director shall recommend those expenditures to the Governor. If the Governor approves, he shall recommend those expenditures to the Legislature under the procedure authorizing the transfer of funds set forth in section 1585, subsection 3.