

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**FIRST REGULAR SESSION**  
December 1, 1982 to June 24, 1983  
Chapters 1-452

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., Inc.  
Augusta, Maine  
1983

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

AS PASSED AT THE  
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

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standards for location and construction of housing units or housing projects;

4. Fees. Schedules of fees and other charges made by the authority and the financial institution to the borrower in accepting, reviewing and acting upon applications for construction loans under this Article; and

5. Restrictions. Restrictions on the interest rates charged by the financial institutions and the authority on such construction loans or the return on such loans to be realized by the financial institution.

Sec. 5. 30 MRSA §§4768 - 4770 are enacted to read:

§4768. Eligible conservation projects

The state authority in consultation with the Office of Energy Resources shall develop guidelines defining energy improvements which may be made with proceeds of home improvement notes.

§4769. Affidavits

The state authority shall require an affidavit in conjunction with an application for a residential energy loan home improvement note to ensure that the proceeds are used for purposes authorized under this subchapter.

§4770. Penalties

Anyone using the proceeds of a home improvement note for other than authorized purposes is subject to a civil penalty not to exceed \$5,000, payable to the State, to be recovered in a civil action.

Effective September 23, 1983.

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## CHAPTER 322

H.P. 717 - L.D. 908

AN ACT to Clarify the Fuel Charges of  
Electric Utilities.

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

Whereas, on April 12, 1983, the Maine Supreme Judicial Court ruled that the Revised Statutes, Title 35, section 131 does not allow the inclusion of credits associated with sales of energy received from the savings fund of the New England Power Exchange in the calculation of fuel costs to be received in the fuel adjustment clause; and

Whereas, it is the intent of this Legislature that these credits be included in the calculation of these fuel costs; and

Whereas, the failure to include these credits will result in immediate additional costs to electric utility ratepayers; 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 preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 35 MRSA §131, sub-§4, as amended by PL 1979, c. 643, §2, is further amended to read:

4. Scope of adjustment. Changes in the cost of fuel consumed in the electric utility's generating stations and changes in the cost of power purchased by the electric utility for use in Maine shall constitute the only items subject to adjustment, pursuant to regulations promulgated by the commission under this section. Those changes in the cost of purchased power which are subject to that adjustment shall exclude all capacity charges, except that, to the extent the commission deems just and reasonable, capacity charges for power purchased from small power producers or cogenerators, as defined in section 2323, may be included in the adjustment. Credits received by the utility for fuel or the fuel component of either purchased power or power sold to other utilities, including, but not limited to, credits associated with purchased energy received or energy sold which are received, from the savings fund of the New England Power Exchange, shall be considered changes in the cost of fuel for the purposes of the fuel cost adjustment, pursuant to regulations promulgated by the commission under this section.

Sec. 2. Implementation of litigation not affected. Any implementation of litigation involving the Revised Statutes, Title 35, section 131 pending

on the date of enactment shall not be affected by section 1.

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

Effective May 24, 1983.

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## CHAPTER 323

H.P. 1175 - L.D. 1563

AN ACT Pertaining to Directions from  
Interstate 95 to the Maritime Provinces.

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

23 MRSA §1201, sub-§16-A, as enacted by PL 1967, c. 440, is repealed and the following enacted in its place:

16-A. Maritime Provinces. This sign shall be constructed and maintained on Interstate 95 near the northbound Howland exit and shall be worded as follows:

MARITIME PROVINCES

NEXT EXIT

NORTHERN MARITIME PROVINCES

EXIT 63

Effective September 23, 1983.

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## CHAPTER 324

H.P. 866 - L.D. 1114

AN ACT to Clarify the Rights of Putative  
Fathers in Adoption Proceedings.

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