

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Twin City Printery
Lewiston, Maine
1987

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION
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ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

Whereas, unless this legislation is enacted as an emergency measure, the utilities will be required to collect and then refund such charges until the expiration of the 90-day period; 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-A MRSA §3153, as enacted by PL 1987, c. 141, Pt. A, §6, is repealed.

Sec. 2. 35-A MRSA §3153-A is enacted to read:

§3153-A. Public Utilities Commission to develop proposals to improve electric utility rate design

1. Proposals and programs developed. The commission, as it determines appropriate, shall order electric utilities to develop and submit specific rate design proposals and related programs for implementing energy conservation techniques and innovations, either in conjunction with or independent of any rate-making proceeding pending before the commission. The proposals, as the commission determines, shall 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:

A. Load management techniques;

B. Rates which reflect marginal costs of services at different voltages, times of day or seasons of the year, including long-run marginal costs associated with the construction of new electric generating facilities;

C. Policies which encourage economic use of fuel and the maximum efficient utilization of natural energy resources indigenous to the State;

D. Rates or other regulatory policies which encourage electric utility system reliability; and

E. Electric utility financing or subsidization of capital improvements undertaken by ratepayers to conserve electricity used by the ratepayers in the future.

2. Hook-up fee prohibited. No electric utility may impose a hook-up fee for the installation or upgrade of an electrical service entrance, except for recovery of the actual direct cost of providing that service entrance.

Sec. 3. Refund. The Public Utilities Commission shall provide by rule or order for the refund to the pay-

ing customer of any hook-up fee collected on or after May 1, 1987, which would not have been permitted under the Maine Revised Statutes, Title 35-A, section 3153-A, subsection 2, as enacted by this Act.

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

Effective June 26, 1987.

CHAPTER 452

H.P. 632 — L.D. 855

AN ACT to Enhance the Productivity of the Workers' Compensation Commission.

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

Whereas, severe delays exist within the State's workers' compensation system, due in part to an increased number of cases to be decided by each workers' compensation commissioner; and

Whereas, these delays cause severe problems for injured workers whose decisions on their cases are delayed, including financial, emotional and other problems; and

Whereas, there is an immediate need to alleviate delay in the workers' compensation system and its accompanying human suffering and an immediate need for an additional workers' compensation commissioner; 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:

39 MRSA §91, sub-§1, as enacted by PL 1983, c. 479, §14, is amended to read:

1. **Membership; term.** The Workers' Compensation Commission, as established in this section, shall consist of 9 10 members, who shall be persons learned in the law and members of good standing of the bar of this State. They shall be appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over judiciary and to confirmation by the Legislature. One of the commissioners, to be designated by the Governor as chairman, shall be appointed for the term of 5 years and the other commissioners for a term of 4 years each.

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

Effective June 26, 1987.
