

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

**SECOND SPECIAL SESSION**

December 12, 1991 to January 7, 1992

**SECOND REGULAR SESSION**

January 8, 1992 to March 31, 1992

THE GENERAL EFFECTIVE DATE FOR  
SECOND REGULAR SESSION  
NON-EMERGENCY LAWS IS  
JUNE 30, 1992

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

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J.S. McCarthy Company  
Augusta, Maine  
1992

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

**AS PASSED AT THE**  
**SECOND REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FIFTEENTH LEGISLATURE**

**1991**

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**Sec. 4. 33 MRSA §501-A**, as amended by PL 1991, c. 134, §3, is further amended by adding after the first paragraph a new paragraph to read:

The following "power" is known as "The Statutory Power of Sale" and may be included in any mortgage or incorporated by reference in any mortgage that secures a loan primarily for business, commercial or agricultural purposes extended to a corporation, partnership or trust, provided that the power of sale is not used to foreclose on the primary residence of any mortgagor who is a natural person. This paragraph takes effect October 1, 1993.

See title page for effective date.

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## CHAPTER 769

S.P. 936 - L.D. 2395

### An Act Regarding Industrial Electrical Rates

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

**Whereas**, interruptible resources can and should constitute an important component of energy conservation and planning efforts in this State; and

**Whereas**, it is important for the State immediately to establish a clear mandate that interruptible resources be viewed as a viable and valuable conservation and planning tool in order to ensure that the maximum benefits achievable with this tool are realized; 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 §3154, sub-§7** is enacted to read:

**7. Interruptible rates.** In any general rate design case pending on or initiated after April 1, 1992, the commission shall determine interruptible rates consistent with and by reference to its determination of utility capacity costs. Interruptible rates must be designed so as to encourage the long-term availability of interruptible resources, including interruptible options for all customer classes.

**Sec. 2. 35-A MRSA §3191**, as enacted by PL 1987, c. 671, §2, is amended to read:

### §3191. Energy policy

The Legislature finds that it is in the best interests of the State to ensure that Maine and its electric utilities pursue a least-cost energy plan. The Legislature further finds that a least-cost energy plan takes into account many factors, including cost, risk, diversity of supply and all available alternatives, including purchases of power from Canadian sources. When the available alternatives are otherwise equivalent, the commission shall give preference first to conservation and demand management, including interruptible capacity resources, and then to power purchased from qualifying facilities. Nothing in this section is intended to modify the commission's authority under section 3133, subsection 9.

**Sec. 3. Application.** The Maine Revised Statutes, Title 35-A, section 3154, subsection 7 does not apply to the Public Utilities Commission rate design case, Docket #89-68, involving Central Maine Power Company.

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

Effective March 30, 1992.

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## CHAPTER 770

S.P. 898 - L.D. 2317

### An Act to Govern Residential Propane Gas Suppliers

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

**Sec. 1. 10 MRSA §1658-A** is enacted to read:

**§1658-A. Marking and filling containers owned by others**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

**A. "Liquefied petroleum gas"** means any material that is composed predominantly of any of the following hydrocarbons or mixtures of those hydrocarbons: propane, propylene, normal butane, isobutane and butylenes.

**B. "Owner"** means any person who holds title to a liquefied petroleum gas container.

**2. Unlawful use of containers.** No person except the owner, or a person authorized in writing by the owner to do so, may fill or refill a liquefied petroleum gas con-