

MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

HOUSE NO. 26

House of Representatives, Jan. 23, 1919.

Referred to Committee on Public Utilities and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Alden of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND NINETEEN

AN ACT Relative to the Appointment of Examiners to Perform Certain Duties for the Public Utilities Commission.

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

Section 51 of chapter 55 of the revised statutes, revision 2 of 1916, is hereby amended by adding thereto the following:

‘Said public utilities commission shall have power to appoint, to serve during its pleasure, an examiner, who, being first duly sworn, shall have authority to administer oaths, examine witnesses, issue subpoenas, require the production of books, accounts, papers, documents and testimony, and receive evidence in any matter under the jurisdiction of the commission, and shall perform such other duties as

8 may be assigned to him. Evidence so taken and received
9 shall have the same force and effect as though taken and
10 received by said commission, and shall authorize action by
11 said commission as though by it taken and received. When
12 objection is made to the admissibility of evidence the ex-
13 aminer shall note the same with the reasons therefor and
14 incorporate such notation and reasons in his report of the
15 evidence according to the practice in taking depositions.
16 The commission shall disregard or consider the evidence
17 so objected to according to the rules governing the taking
18 of evidence before the commission, and shall report its
19 rulings thereon in its decision of the case. The commis-
20 sion shall fix the salary of said examiner,' so that said
21 section as amended shall read as follows:

'Sect. 51. Each of the commissioners for the purposes
2 mentioned in this chapter, may administer oaths, certify to
3 official acts, issue subpoenas, compel the attendance of wit-
4 nesses and the production of books, accounts, papers, docu-
5 ments and testimony, punish by fine and imprisonment for
6 contempt, and issue all processes necessary to the perform-
7 ance of the duties of the commission. Said public utilities
8 commission shall have power to appoint, to serve during
9 its pleasure, an examiner, who, being first duly sworn, shall
10 have authority to administer oaths, examine witnesses, issue
11 subpoenas, require the production of books, accounts, pa-
12 pers, documents and testimony, and receive evidence in any
13 matter under the jurisdiction of the commission, and shall

14 perform such other duties as may be assigned to him. Evi-
15 dence so taken and received shall have the same force and
16 effect as though taken and received by said commission,
17 and shall authorize action by said commission as though
18 by it taken and received. When objection is made to the
19 admissibility of evidence the examiner shall note the same
20 with the reasons therefor and incorporate such notation
21 and reasons in his report of the evidence according to the
22 practice in taking depositions. The commission shall dis-
23 regard or consider the evidence so objected to according
24 to the rules governing the taking of evidence before the
25 commission, and shall report its rulings thereon in its de-
26 cision of the case. The commission shall fix the salary of
27 said examiner.'