

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

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

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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

---

Kennebec Journal  
Augusta, Maine  
1979

---

---

**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**  
AS PASSED AT THE  
**FIRST REGULAR SESSION**  
of the  
**ONE HUNDRED AND NINTH LEGISLATURE**  
1979

---

---

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

**Sec. 1.** 12 MRSA § 2553-B, 2nd ¶, as enacted by PL 1977, c. 387, is amended to read:

The commissioner shall promulgate all rules and regulations necessary to carry out the purposes of this section, including, but not limited to: Limiting to 5 the number of black bass which any contestant may take, catch or kill during the scheduled hours of any tournament and requiring that precautions be taken so that, if possible, all fish caught may be retained alive and, following the close of the tournament be released into the body from which they were taken; **and** fixing the maximum total value of prizes which may be awarded at each tournament ~~and establishing a fee of \$25 for a license to conduct a tournament under this section.~~

**Sec. 2.** 12 MRSA § 2553-B, as enacted by PL 1977, c. 387, is amended by adding after the 2nd paragraph the following:

**There shall be a fee for all tournament permits. For tournaments in which 20 or less persons participate, and all these participants are members of the club sponsoring the tournament, the fee shall be \$5. The fee for all other tournaments shall be \$25.**

Effective September 14, 1979

---

## CHAPTER 265

H. P. 164 — L. D. 196

**AN ACT Relating to Action by the Public Utilities Commission on Petitions by Electrical Companies for Certificates of Public Convenience and Necessity.**

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

**Sec. 1.** 4 MRSA § 1151, sub-§ 2, first sentence, as amended by PL 1977, c. 694, § 5, is further amended to read:

Except as provided in Title 5, section 10004, Title 29, chapter 17 and Title 35, ~~section sections~~ **sections 13-A and 1566**, the Administrative Court shall have exclusive jurisdiction upon complaint of an agency or, if the licensing agency fails or refuses to act within a reasonable time, upon complaint of the Attorney General, to revoke or suspend licenses issued by the agency, and shall have original jurisdiction upon complaint of a licensing agency to determine whether renewal or reissuance of a license of that agency may be refused.

**Sec. 2. 5 MRSA § 10051, sub-§ 1, first sentence**, as amended by PL 1977, c. 694, § 39, is further amended to read:

Except as provided in section 10004, Title 29, chapter 17 and Title 35, ~~section~~ **sections 13-A and 1566**, the Administrative Court shall have exclusive jurisdiction upon complaint of an agency or, if the licensing agency fails or refuses to act within a reasonable time, upon complaint of the Attorney General, to revoke or suspend licenses issued by such agency and shall have original jurisdiction upon complaint of an agency to determine whether renewal or reissuance of a license of that agency may be refused.

**Sec. 3. 35 MRSA § 13-A, first paragraph**, as amended by PL 1977, c. 374, § 1, is repealed and the following enacted in its place:

Whenever any electric company or companies propose to erect within this State a permanently installed generating facility of more than 1,000 kilowatts or any transmission line of 100 kilovolts or more, the construction of which is required as a result of the generating facility, the company or companies shall file with the commission, no less than 3 months in advance of submitting its petition for approval of the proposed facility or lines, a notice of its intent to file the petition. This notice shall inform the commission of the location, size, type of facility, estimated cost and proposed construction schedule of the generating facility or lines together with such other facts and details concerning the proposed facility or lines as the commission shall, by rule, prescribe. The petition for approval of the proposed generating facility shall contain such information as the commission shall, by rule, prescribe. The petition shall be set down for public hearing and the commission shall issue its order within 15 months after the petition is filed with the commission unless the period is either extended by agreement of all the parties or by the commission upon its determination that the party seeking the extension would, because of circumstances beyond that party's control for which it has no reasonable substitute and the party to that time having prosecuted its case in good faith and with due diligence, be unreasonably disadvantaged unless the extension were granted.

Whenever any electric company or companies propose to erect within this State any transmission line carrying 100 kilovolts, or more, and the transmission line does not result from the construction of any generating facility pursuant to this section, the company or companies shall file a petition for the approval of the proposed line. This petition shall contain such information as the commission shall, by rule, prescribe. The petition shall be set down for public hearing and the commission shall issue its order within 6 months after the petition is filed with the commission unless the period is either extended by agreement of all parties or by the commission upon its determination that the party seeking the extension would, because of circumstances beyond that party's control for which it has no reasonable substitute and the party to that time having prosecuted its case in good faith and with due diligence, be unreasonably disadvantaged unless the extension were granted.

Sec. 4. 35 MRSA § 13-A, last sentence, as enacted by PL 1971, c. 476, § 1, is repealed and the following enacted in its place:

The commission may approve or disapprove all or portions of the proposed transmission line, and shall make such orders regarding its character, size, installation and maintenance as are necessary, having regard for any increased costs thereby caused.

Sec. 5. 35 MRSA § 13-A, as amended by PL 1977, c. 374, § 1, is further amended by adding at the end 2 new paragraphs to read:

In the event that the commission has issued a certificate of public convenience and necessity for the transmission or generating facilities proposed and the Board of Environmental Protection in an order under Title 38, Section 484, makes any modification in the location, size, character or design of the facilities, the company or companies shall deliver a copy of the order to the commission and shall state the nature of the modifications and all cost adjustments occasioned thereby to the cost of the proposed facilities relied upon by the commission in issuing its certificate of public convenience and necessity under this section.

If the cost adjustments specified herein exceed the cost relied upon by the commission in the original proceeding under this section by more than 20% of the original cost, the company or companies shall not proceed with any construction of the proposed facilities, the commission's original certificate of public convenience and necessity notwithstanding. The commission, upon notification of the cost increase, shall reopen its original decision concerning the facilities and shall make specific findings with regard to the need for the facilities to the same extent and with the same authority as if the company's or companies' petition for approval were before it. Except as modified herein, the commission shall retain all authority granted to it under section 306.

Effective September 14, 1979

---

---

## CHAPTER 266

H. P. 365 — L. D. 473

AN ACT Regulating Business Practices Between Motion Picture Distributors and Exhibitors.

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

10 MRSA c. 315 is enacted to read:

## CHAPTER 315