

MAINE STATE LEGISLATURE

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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.

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PUBLIC LAWS
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- A. The assessments charged to utilities under this section shall be deemed just and reasonable operating costs for rate-making purposes.
- B. For the purposes of this section, intrastate gross operating revenues shall mean intrastate revenues derived from basic filed rates, except revenues derived from fuel adjustment charges from sales for resale and from sales tax revenues derived from retail intrastate sales.
2. Legislative approval of budget. The assessments and expenditures provided in this section shall be subject to legislative approval in the same manner as the budget of the Public Utilities Commission is approved.
3. Deposit of funds. All revenues derived from assessments levied against the utilities described in this section shall be deposited with the Treasurer of State in a separate account to be known as the Public Utilities Commission Regulatory Fund.
4. Use of funds. The Public Utilities Commission is authorized to hire 4 employees to be funded from the revenues provided in this section to defray the costs incurred by the commission pursuant to Title 35 and to include administrative expenses, general regulatory expenses, consulting fees and all other reasonable costs incurred to administer Title 35, chapters 1 to 17.
5. Unexpended funds. Any amount of the funds that is not expended at the end of a fiscal year shall not lapse, but shall be carried forward to be expended for the purposes specified herein in succeeding fiscal years.
6. Violations. Any utility, subject to this section, that willfully fails to pay the assessments in accordance with this section commits a civil violation for which a forfeiture of not more than \$500 may be adjudged per day for which payment is not made following the due date.

Effective September 14, 1979

CHAPTER 428

H. P. 821 — L. D. 1028

AN ACT to Clarify the Disqualification Provisions of the Employment Security Law.

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

Sec. 1. 26 MRSA § 1193, sub-§ 1, ¶ A, first sentence, as repealed and replaced by PL 1977, c. 472, § 1, is amended to read:

For the week in which he left his regular employment voluntarily without good cause attributable to such employment, or to a claimant who has voluntarily removed himself from the labor market where presently employed to an area where employment opportunity is less frequent, if so found by the commission, and disqualification shall continue until claimant has earned 4 times his weekly benefit amount **in employment by an employer**; provided no disqualification shall be imposed if the individual establishes that he left employment in good faith and accepted new employment on a permanent full-time basis and he became separated from the new employment for good cause attributable to employment with the new employing unit.

Sec. 2. 26 MRSA § 1193, sub-§ 1, ¶ B, is amended to read:

B. For the duration of his unemployment period subsequent to his having retired; or having been retired from his regular employment as a result of a recognized employer policy or program, under which he is entitled to receive pension payments, if so found by the commission, and disqualification shall continue until claimant has earned 6 times his weekly benefit amount **in employment by an employer**;

Sec. 3. 26 MRSA § 1193, sub-§ 2, as repealed and replaced by PL 1977, c. 472, § 2, is amended to read:

2. Discharge for misconduct. For the week in which he has been discharged for misconduct connected with his work, if so found by the commission, and disqualification shall continue until claimant has earned 4 times his weekly benefit amount **in employment by an employer**.

Sec. 4. 26 MRSA § 1193, sub-§ 3, first paragraph, as amended by PL 1973, c. 555, § 14, is further amended to read:

For the duration of his unemployment subsequent to his having refused to accept an offer of suitable work for which he is reasonably fitted, or having refused to accept a referral to a suitable job opportunity when directed to do so by a local employment office of this State or another state or if an employer is unable to contact a former employee at last known or given address, for the purpose of recall to suitable employment; or the individual fails to respond to a request to report to the local office for the purpose of a referral to a suitable job, and the disqualification shall continue until claimant has earned 8 times his weekly benefit amount **in employment by an employer**; except, that, if the commission determines that refusal has occurred for cause of necessitous and compelling nature, the individual shall be ineligible for the week in which the refusal occurred and while such inability or unavailability continues.

Sec. 5. 26 MRSA § 1193, sub-§ 4, ¶ C, as enacted by PL 1971, c. 209, is amended to read:

C. He has obtained employment subsequent to the beginning of the **stoppage of**

work and has earned at least 8 times his weekly benefit amount or has been employed in employment by an employer for 5 full weeks.

Sec. 6. 26 MRSA § 1193, sub-§ 7, is amended to read:

7. **Discharged for crime.** For the period of unemployment next ensuing with respect to which he was discharged for conviction of felony or misdemeanor in connection with his work. The ineligibility of such individual shall continue for all weeks subsequent until such individual has thereafter earned not less than \$400 in employment by an employer.

Effective September 14, 1979

CHAPTER 429

S. P. 450 — L. D. 1413

AN ACT to Amend Financial Institutions and Credit Union Laws.

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

Sec. 1. 9-B MRSA § 222, sub-§ 2, as enacted by PL 1975, c. 500, § 1, is amended by adding at the end the following new sentence:

Once a person has been designated as the chief executive officer, it is not necessary to submit a notice of reelection or redesignation after each annual meeting.

Sec. 2. 9-B MRSA § 222, sub-§ 3, ¶ A, 4th sentence, as enacted by PL 1975, c. 500, § 1, is repealed as follows:

~~The correctness of the report shall be attested by the signatures of at least three of the institution's directors other than the officer making such declaration, together with a declaration that the report has been examined by them and to the best of their knowledge and belief is true and correct~~

Sec. 3. 9-B MRSA § 223, sub-§ 1, as amended by PL 1975, c. 666, § 6, is further amended by adding at the end the following new sentences:

The annual publication of the balance sheet and income statement prepared for federal authorities shall be acceptable for fulfilling the requirements of this section. It is preferred that these compilations be published simultaneously and in adjoining spaces in the newspaper selected.

Sec. 4. 9-B MRSA § 232, sub-§ 5, ¶ A, as enacted by PL 1975, c. 500, § 1, is amended to read: