

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**FIRST REGULAR SESSION**  
December 1, 1982 to June 24, 1983  
Chapters 1-452

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

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1983

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

AS PASSED AT THE  
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

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of a conservator or other protective order for reasons other than minority, the court shall set a date for hearing. Unless the person to be protected has counsel of his own choice, the court may appoint a lawyer to represent him who then has the powers and duties of a guardian ad litem. If the alleged disability is ~~mental illness, mental deficiency,~~ physical illness or disability, advanced age, chronic use of drugs, or chronic intoxication, the court may direct that the person to be protected be examined by a physician acceptable to the court, preferably a physician who is not connected with any institution in which the person is a patient or is detained. If the alleged disability is mental illness or mental deficiency, the court may direct that the person to be protected be examined by a physician or by a licensed psychologist acceptable to the court; preferably the physician or psychologist shall not be connected with any institution in which the person is a patient or is detained. The court may send a visitor to interview the person to be protected. The visitor may be a guardian ad litem or an officer or employee of the court.

Sec. 3. 18-A MRSA §5-613, as enacted by PL 1979, c. 540, §1, is amended to read:

§5-613. Incapacitated persons; guardian ad litem costs

Whenever a guardian ad litem is appointed under the provisions of this Code, for an allegedly incapacitated person in need of protective services for whom appointment of the public guardian or conservator is sought under this Part, the cost of the guardian ad litem shall be paid by the Bureau of Mental Retardation in those cases involving persons who are mentally retarded and by the Department of Human Services in all other cases.

Effective September 23, 1983.

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## CHAPTER 242

H.P. 984 - L.D. 1289

### AN ACT Concerning Late Filing Under the Referendum Campaign Reporting Law.

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

21 MRSA §1417, first ¶, as amended by PL 1979, c.

479, §7, is further amended to read:

There shall be a penalty of \$10 for each business day, as defined by Title 32, section 4691, subsection 2, that a report required to be filed under this chapter is late. The commission shall determine whether a report received after the date required by this chapter is late and, if determined to be late, the number of days of lateness.

Effective September 23, 1983.

## CHAPTER 243

H.P. 1140 - L.D. 1496

### AN ACT to Fairly Apportion the Cost of Canceled Generating Facilities.

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

Sec. 1. 35 MRS-A §52-A is enacted to read:

§52-A. Recovery of cost of canceled or abandoned electric generating facility

1. Cost recovery restricted. The commission shall not, with respect to any canceled or abandoned electric generating facility, issue any order concerning the recovery from ratepayers of all or any portion of the cost of that facility until after the date last announced for completion of the plant by the lead participant. This section does not apply if an electrical company can establish, as part of a proceeding initiated by it under section 64, that it will be unable to perform its public service or attract necessary capital on just and reasonable terms, absent a commission order at the conclusion of the proceeding under section 64 authorizing the current recovery of all or a portion of the cost from ratepayers.

2. Exception. This section does not apply to any abandoned or canceled electrical generating facility for which the commission has authorized a recovery of any portion of the costs of that facility from ratepayers prior to the effective date of this section.

Sec. 2. Transition provision. Title 35, section 52-A, applies to any case pending before the Public Utilities Commission on the date on which this