

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
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ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

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

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

CHAPTER 295

H.P. 962 - L.D. 1243

AN ACT to Clarify the Timing of Fuel
Adjustment Clause Cases before the Public
Utilities Commission.

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

Sec. 1. 35 MRSAs §131, sub-§7, as enacted by PL 1977, c. 689, §1, is amended to read:

7. Commission approval required. In no event shall a fuel adjustment charge be billed to customers which has not been approved and ordered into effect by the commission pursuant to this section. Each electric utility shall file application for changes in its fuel adjustment rate in accordance with regulations promulgated pursuant to this section. The commission shall order notice of the application to be published within 7 days of receipt of the application and shall set a time and place for a public hearing which shall be held, unless otherwise ordered by the commission, within 14 days after publication of the notice. The commission shall issue public notice of the application and the opportunity to request a hearing within 7 days after the application is filed with the commission. The commission may render its decision on the application, without holding a public hearing. If a public hearing is held, the commission shall hold the first session within 45 days of the filing of the application. The commission shall render its decision on the application within 45 days of the close of the hearing, or within 45 days of receipt of the application, if no hearing is held. No electric utility shall may make application for changes in its fuel adjustment rate until a period of 90 days has elapsed from the filing of its last application, unless otherwise ordered by the commission.

Sec. 2. 35 MRSAs §132, sub-§6, as enacted by PL 1981, c. 600, is amended to read:

6. Commission approval required. In no event may a cost of gas adjustment charge be billed to customers which has not been approved and ordered into effect by the commission pursuant to this section. Each gas company shall file application for changes in its cost of gas adjustment rate in accordance with regulations promulgated under this section. The commission shall order notice of the application to be

published within 7 days of receipt of the application and shall set a time and place for a public hearing which shall be held, unless otherwise ordered by the commission, within 14 days after publication of the notice. The commission shall issue public notice of the application and the opportunity to request a hearing within 7 days after the application is filed with the commission. The commission may render its decision on the application, without holding a public hearing. If a public hearing is held, the commission shall hold the first session within 45 days of the filing of the application. The commission shall render its decision on the application within 45 days of the close of the hearing, or within 45 days of receipt of the application, if no hearing is held. No gas company may make application for changes in its cost of gas adjustment rate until a period of 90 days has elapsed from the filing of its last application, unless otherwise ordered by the commission.

Effective September 23, 1983.

CHAPTER 296

H.P. 1050 - L.D. 1394

AN ACT to Clarify Sanctions for Repeated
Violation of the Labor Laws of Maine.

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

26 MRSA §46, 6th ¶, as repealed and replaced by PL 1975, c. 519, §8, is amended to read:

Any employer who willfully or repeatedly violates any standard, rule or order promulgated pursuant to section 565 ~~and that violation caused death to any employee, and that violation is specifically determined to be a serious violation,~~ shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment for not more than 6 months, or by both; except that if the conviction is for a violation committed after a first conviction of such person, punishment shall be by a fine of not more than \$20,000, or by imprisonment for not more than one year, or by both.

Effective September 23, 1983.
