

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

SECOND SPECIAL SESSION

November 18, 1983

AND AT THE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

AND AT THE

THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND ELEVENTH LEGISLATURE
JANUARY 4, 1984 TO APRIL 25, 1984

Sec. 1. 24-A MRSA §4362-A is enacted to read:

§4362-A. Dissolution of domestic insurer

The superintendent, upon application for an order of liquidation of a domestic insurer for any of the reasons specified in section 4357 or at any time thereafter, may apply for an order of dissolution of the domestic insurer. Upon the filing of the application, the court shall issue an order directing the insurer to appear in court on the day fixed in the order and show cause why the application should not be granted. The order to show cause and notice thereof shall conform to the requirements applicable to an order to show cause set forth in section 4360, subsections 2 and 3, and section 4361. Unless cause is shown why the application should not be granted, the court, after hearing, shall order that the corporate existence of such domestic insurer be dissolved.

Sec. 2. Application. The provisions of the Revised Statutes, Title 24-A, section 4362-A, shall be applicable in all delinquency proceedings commenced on or after its effective date and in all such proceedings pending on its effective date regardless of when commenced.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective February 14, 1984.

CHAPTER 604

H.P. 1451 - L.D. 1903

AN ACT to Clarify the Suspension
Powers of the Public Utilities Commission
Over Affiliated Interest Contracts.

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

35 MRSA §104, sub-§3, as enacted by PL 1977, c. 426, § 1, is amended to read:

3. Consent by commission. No public utility shall ~~may~~ extend or receive credit or make or receive a loan to or from an affiliated interest or make any contract or arrangement for the furnishing of manage-

ment, supervision of construction, engineering, accounting, legal, financial or similar services, or for the furnishing of any service other than those enumerated with any affiliated interest unless and until such contract or arrangement shall have been found by the commission not to be adverse to the public interest and shall have received its written approval.

Any such contract or arrangement filed with the commission hereunder shall be deemed approved unless the commission disapproves such within 60 days of filing. The commission may, however, suspend the effective date of the contract ~~on~~ or arrangement for an additional ~~30~~ 60 days if a hearing is deemed necessary to take action on the contract or arrangement necessary to enable the commission to complete its review of the contract or arrangement.

The commission may approve a contract or arrangement undertaken subsequent to the effective date of this Act, subject to such terms and conditions as it deems necessary to safeguard the public interest. If such contracts or arrangements are not consented to or approved by the commission as provided in this section, the commission may disallow, for rate-making purposes, payments or such part of any such payments thereunder as the commission finds not to be in the public interest.

The commission shall, in the case of any utility or groups of utilities, have the power to exempt herefrom, from time to time, such classes of transactions as it may specify by rule or regulation in advance and which in its judgment will not be adverse to the public interest.

Commission approval of any such contract or arrangement under this section shall not limit or restrict the powers of the commission in determining and fixing any rate, fare, toll, charge, classification, schedule or joint rate as provided in chapters 1 to 17.

Effective July 25, 1984.

CHAPTER 605

S.P. 688 - L.D. 1895

AN ACT to Limit the Prohibition on
Prescriptive Pole and Wire Easements to
Public Ways.