

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 1994 to June 30, 1995

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 29, 1995

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4

J.S. McCarthy Company
Augusta, Maine
1995

4. Hearings. A party to a hearing is entitled to be heard ~~and to have the subpoenas issued by the commission in the manner described in Title 5, section 9060 9056.~~

Sec. 4. 35-A MRSA §1321, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

§1321. Orders altered or amended

The commission may at any time rescind, alter or amend any order it has made including an order fixing any rate or rates, tolls, charges or schedules, ~~provided only if it gives the public utility and all parties to the original proceeding, to the extent practical, written notice as provided in section 1304 and after opportunity for those parties to be heard as provided in section 1304 present evidence or argument, as determined appropriate by the commission.~~ Certified copies of amended orders ~~shall~~ must be served and take effect as provided for original orders.

See title page for effective date.

CHAPTER 227

H.P. 906 - L.D. 1282

**An Act to Correct Obsolete
References to Justices of the Peace**

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

Sec. 1. 23 MRSA §3101 is amended to read:

§3101. Call of meetings

When 4 or more persons are owners and occupants of a private way or bridge, any 3 of them may make written application to a ~~justice of the peace~~ notary public to call a meeting, who may issue ~~his a~~ his a warrant setting forth the time, place and purpose ~~thereof of the meeting~~, a copy of which ~~shall~~ must be posted at some public place in the town 7 days before such time. When so assembled, they may choose a clerk and a surveyor, to be sworn, and they may determine what repairs are necessary and the materials to be furnished or amount of money to be paid by each owner ~~therefor for the repairs~~ and the manner of calling future meetings.

Sec. 2. 33 MRSA §1053 is amended to read:

§1053. Appraisal if value \$10 or more

Every finder of lost goods or stray beasts of the value of \$10 or more shall, within 2 months after finding and before using them to their disadvantage, procure a warrant from the town clerk or a ~~justice of the peace~~ notary public, directed to 2 persons

appointed by said clerk or ~~justice~~ notary, not interested except as inhabitants of the town, returnable at said clerk's office within 7 days from its date, to appraise said goods under oath.

Sec. 3. 33 MRSA §1054 is amended to read:

§1054. Restitution to appearing owner; money or goods

If the owner of such lost money or goods appears within 6 months, and if the owner of such stray beasts appears within 2 months after said notice to the town clerk and gives reasonable evidence of ~~his~~ his ownership to the finder, ~~he the owner~~ shall have restitution of them or the value of the money or goods, paying all necessary charges and reasonable compensation to the finder for keeping, to be adjudged by a ~~justice of the peace of the county~~ the district court, if the owner and finder cannot agree.

Sec. 4. 38 MRSA §851 is amended to read:

§851. Meeting of mill owners; call; object

When an owner of a mill or of the dam necessary for working ~~it the mill~~ thinks it necessary to rebuild or repair it in whole or in part, ~~he the owner~~ may apply in writing to a ~~justice of the peace~~ notary public in the county where ~~it the mill~~ is situated, or if partly in 2 counties, to a ~~justice of the peace~~ notary public in either, to call a meeting of the owners, stating the object, time and place of the meeting. ~~Such justice~~ The notary may issue ~~his a~~ his a warrant for the purpose, directed to ~~such the~~ such the owner, which ~~shall~~ must be published in some newspaper printed in ~~such the~~ such the county, if any, 3 weeks successively, the last publication to be not less than 10 nor more than 30 days before the meeting; or a true copy of the warrant may be delivered to each of said owners or left at ~~his the~~ his the owner's last ~~and usual place of abode~~ known address; and either notice is binding on all the owners.

See title page for effective date.

CHAPTER 228

H.P. 685 - L.D. 936

**An Act to Clarify the Discretion of
the Commission on Governmental
Ethics and Election Practices in
Assessing Penalties**

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and