

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST SPECIAL SESSION
September 27, 2011

SECOND REGULAR SESSION
January 4, 2012 to May 31, 2012

THE EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
LAWS IS
SEPTEMBER 28, 2011

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 30, 2012

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

Augusta, Maine
2012

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective March 5, 2012.

CHAPTER 483

H.P. 1279 - L.D. 1729

An Act To Clarify the Minimum Wage Law as It Relates to People with Disabilities

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

Sec. 1. 26 MRSA §666, as amended by PL 1971, c. 620, §13, is further amended to read:

§666. Workers with disabilities

For any employment ~~in~~ to which the minimum wage is applicable, the director may issue to an employer for any person ~~physically handicapped by age, or otherwise, with a disability~~ a special certificate authorizing the employment of such person for a period not to exceed one year at a wage less than the minimum wage established by this subchapter ~~employer to pay that person a wage less than the minimum wage, based on the ability of the person to perform the duties required for that employment in comparison to the ability of a person who does not have a disability to perform the same duties.~~ The director may hold such hearings and conduct such investigations as ~~he shall deem~~ necessary for the purpose of fixing the special minimum wage for the ~~licensee~~ person. ~~Such license~~ A certificate is valid for 2 years from the date of issue and may be renewed ~~from time to time~~ by the director. The director may issue a certificate to cover several employees with disabilities as long as the employer provides documentation justifying the special minimum wage.

See title page for effective date.

CHAPTER 484

H.P. 695 - L.D. 935

An Act To Create Fair and Open Competition in Line Extension Construction

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

Sec. 1. 35-A MRSA §315 is enacted to read:

§315. Transmission and distribution utility line extension construction

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Line" has the same meaning as in section 314, subsection 1, paragraph A.

B. "Make-ready work" means work necessary to connect a line extension to existing utility infrastructure.

2. Line extension charge. Amounts charged by a transmission and distribution utility serving more than 500,000 retail customers for a line extension are governed by this subsection.

A. Through a proceeding or rulemaking and in accordance with this section and section 314, the commission shall establish the method to be used by a transmission and distribution utility serving more than 500,000 retail customers for line extension pricing. The method may include the amount to be charged per foot for the completion of a line extension.

B. Revenue received by a transmission and distribution utility serving more than 500,000 retail customers from a telephone utility may not be used to offset the total cost of or amount charged to a customer for a line extension.

C. A transmission and distribution utility serving more than 500,000 retail customers shall report annually to the commission, on a date determined by the commission, the total amount charged to customers for line extensions and the total actual costs to the transmission and distribution utility serving more than 500,000 retail customers to complete those line extensions for a prior 12-month period determined by the commission.

D. If a report pursuant to paragraph C demonstrates that charges to customers for line extensions are less than 95% of total actual costs or greater than 105% of total actual costs during the reporting period, the commission, within 30 days of the date of the filing of the report, shall open an investigation to determine the appropriate adjustments to be made to the method used by the transmission and distribution utility pursuant to paragraph A to establish the amount charged to a customer for a line extension so that the total amount charged to customers is no less than 95% and no more than 105% of total actual costs for the line extensions.

3. Cost recovery. Any cost associated with construction of a line extension that is not recovered by a transmission and distribution utility serving more than 500,000 retail customers through the charges estab-