MAINE STATE LEGISLATURE

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1 2 3	(EMERGENCY) SECOND REGULAR SESSION
4 5	ONE HUNDRED AND TENTH LEGISLATURE
6 7	Legislative Document No. 1850
8 9	S. P. 785 Approved for introduction by the Legislative Council pursuant to Joint Rule 26. Referred to the Committee on Public Utilities and ordered printed. Sent down for concurrence.
10 11 12	MAY M. ROSS, Secretary of the Senate Presented by Senator Trotzky of Penobscot.
13 14	STATE OF MAINE
15 16 17	IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-TWO
18 19 20	AN ACT to Raise the Annual Public Utilities Commission Regulatory Fund Assessments to \$1,300,000.
21 22 23	Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and
24 25 26	Whereas, the Public Utilities Commission requires additional funding to allow it to discharge its public responsibilities during the fiscal year ending June 30, 1983; and
27 28	Whereas, the assessment for that fiscal year must take place before May 1, 1982; and

Whereas, the current assessment allowance will not provide the Public Utilities Commission with sufficient funds;

and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

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35 MRSA §17, sub-§1, first ¶, as last amended by PL 1981, c. 479, §3, is further amended to read:

Every electric, gas, telegraph, telephone and water utility subject to regulation by the commission and every water carrier subject to the jurisdiction of the commission pursuant to private and special Act of the Legislature shall be subject to an assessment of not more than .2% of the on its intrastate gross operating revenues of each utility to produce no more than \$600,000 \$1,000,000 in revenue annually. Notwithstanding any other provision of law, the amount of annual revenue to be raised by this section increased by an additional \$300,000 to supplant an equal amount of General Fund revenues used previously to fund comactivities which shall instead be appropriated for the use of the Public Advocate. The commission may bill and collect this additional amount for the- fiscal- year- ending June 30, 1982 on the effective date of this Act establishing the- Public- Advocate. The commission shall determine the assessments annually prior to May 1st and shall assess each utility for its pro rata share. Each utility shall pay the assessment charged to the utility on or before July 1st of each year except that the assessment charged to the utilities for the fiscal year- ending- June- 30,- 1980- shall- be assessed- no- later than November 1, 1979 to produce no more than \$75,000 in revenues and shall- be- due- on- January- 2, 1980.

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

Statement of Fact

This bill raises the annual Public Utilities Commission Regulatory Fund assessment to \$1,300,000 which together with the General Fund appropriation, will provide the Public Utilities Commission sufficient funds to carry out its duties during fiscal year 1982-83. The bill is denominated

1 2 3 4	emergency legislation because the statutory assessment formula must be changed prior to May 1, 1982, the assessment date under Title 35, section 17, in order to assure sufficient commission funding for the 1982-83 fiscal year.
5 6	The $$400,000$ increase in the regulatory assessment shall be used as follows:
7	Personal Services\$ 82,561
8	All Other\$297,439
9	Capital Expenditures <u>\$ 20,000</u>
10	\$400,000