

MAINE STATE LEGISLATURE

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1 (EMERGENCY)
2 (After Deadline)

3 FIRST REGULAR SESSION
4

5 ONE HUNDRED AND ELEVENTH LEGISLATURE
6

7 Legislative Document

No. 1520

8
9 H.P. 1151

House of Representatives, April 26, 1983

10 Approved for introduction by a majority of the Legislative Council
11 pursuant to Joint Rule 27.

12 Referred to the Committee on Public Utilities. Sent up for concurrence
and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Vose of Eastport.
13

14 STATE OF MAINE
15

16 IN THE YEAR OF OUR LORD
17 NINETEEN HUNDRED AND EIGHTY-THREE
18

19 AN ACT to Increase the Annual Public
20 Utilities Commission Regulatory Fund
21 Assessments to \$1,450,000 for Fiscal
22 Year 1984 and \$1,500,000 for Fiscal Year
23 1985.
24

25 **Emergency preamble.** Whereas, Acts of the Legis-
26 lature do not become effective until 90 days after
27 adjournment unless enacted as emergencies; and

28 Whereas, the Public Utilities Commission requires
29 additional funds to allow it to discharge its public
30 responsibilities during the fiscal years ending June
31 30, 1984, and June 30, 1985; and

32 Whereas, the assessment for the first of those
33 fiscal years must take place before May 1, 1983; and

1 Whereas, the current assessment allowance will
2 not provide the Public Utilities Commission with suf-
3 ficient funds; and

4 Whereas, in the judgment of the Legislature,
5 these facts create an emergency within the meaning of
6 the Constitution of Maine and require the following
7 legislation as immediately necessary for the preser-
8 vation of the public peace, health and safety; now,
9 therefore,

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

12 Sec. 1. 35 MRSA §17, sub-§1, as amended by PL
13 1981, c. 599, §1, is further amended to read:

14 1. Utilities subject to assessments. Every elec-
15 tric, gas, telegraph, telephone and water utility
16 subject to regulation by the commission and every
17 water carrier subject to the jurisdiction of the com-
18 mission pursuant to Private and Special Act of the
19 Legislature shall be subject to an assessment of not
20 more than .25% on its intrastate gross operating
21 revenues to produce no more than ~~\$1,000,000~~
22 \$1,150,000 in revenues for the 1983-84 fiscal year
23 and \$1,200,000 in revenue annually beginning in the
24 1984-85 fiscal year. Notwithstanding any other
25 provision of law, the amount of annual revenue to be
26 raised by this section shall be increased by an addi-
27 tional \$300,000 to supplant an equal amount of Gen-
28 eral Fund revenues used previously to fund commission
29 activities which shall instead be appropriated for
30 the use of the Public Advocate. The commission
31 shall determine the assessments annually prior to May
32 1st and shall assess each utility for its pro rata
33 share. Each utility shall pay the assessment charged
34 to the utility on or before July 1st of each year.

35 A. The assessments charged to utilities under
36 this section shall be deemed just and reasonable
37 operating costs for rate-making purposes.

38 B. For the purposes of this section, intrastate
39 gross operating revenues means intrastate reve-
40 nues derived from filed rates, except revenues
41 derived from sales for resale.

1 fiscal year 1984-85, and anticipated salary increase
2 expense computed at 7% each year.

3 The \$150,000 increase in the regulatory fund
4 assessment for fiscal year 1983-84 and the \$200,000
5 increase in the regulatory fund assessment for fiscal
6 year 1984-85 shall be used as follows:

	<u>1983-84</u>	<u>1984-85</u>
7		
8	(3)	(6)
9	\$113,637	\$187,362
10	29,763	8,338
11	<u>6,600</u>	<u>4,300</u>
12	Total	\$150,000 \$200,000
13		3232042083