MAINE STATE LEGISLATURE

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	(EMERGEN	ICY)	
I	FIRST REGULAR	SESSION	
ONE HUNDE	RED AND ELEVE	NTH LEGISLATUR	E
Legislative Document			No. 1274
S.P. 421		In Senate,	March 22, 1983
		mission pursuant to . Utilities. Sent down f	
•	JOY J	J. O'BRIEN, Secretai	ry of the Senate
Presented by Senator Ba Cosponsors: Represe and Representative Bost	entative Vose of E	ot. astport, Senator Kan	y of Kennebec
	STATE OF M	AINE	
	THE YEAR OF N HUNDRED AN	OUR LORD DEIGHTY-THREE	
Commission \$1,450,0	Regulatory F 000 for Fisca	al Public Util und Assessment l Year 1984 an al Year 1985.	s to
	become effec	eas, Acts of t tive until 90 emergencies;	days after
Whereas, the additional funds responsibilities 30, 1984, and Jun	to allow it during the	fiscal years e	ts public
Whereas, the fiscal years mus		or the first before May 1,	
Whereas, the not provide the F	ublic Utilit		ance will with suf-

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,

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

- Sec. 1. 35 MRSA §17, sub-§1, as amended by PL 1981, c. 599, §1, is further amended to read:
- Utilities subject to assessments. 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 more than .25% on its intrastate gross operating \$1,000,000 to produce no more than \$1,150,000 in revenues for the 1983-84 fiscal year and \$1,200,000 in revenue annually beginning in the 1984-85 fiscal year. Notwithstanding any other provision of law, the amount of annual revenue to be raised by this section shall be increased by an additional \$300,000 to supplant an equal amount of General Fund revenues used previously to fund commission instead be appropriated for activities which shall the use of the Public Advocate. The commission shall determine the assessments annually prior to May and shall assess each utility for its pro rata lst share. Each utility shall pay the assessment charged to the utility on or before July 1st of each year.
 - A. The assessments charged to utilities under this section shall be deemed just and reasonable operating costs for rate-making purposes.
 - B. For the purposes of this section, intrastate gross operating revenues means intrastate revenues derived from filed rates, except revenues derived from sales for resale.
- 39 Sec. 2. 35 MRSA §17, sub-§4, as amended by PL 40 1981, c. 469, §1, is further amended to read:

Use of funds. The Public Utilities Commission 25 employees during the is authorized to fund 22 1983-84 fiscal year and 28 employees beginning in the fiscal year from the revenues provided in this section to defray the costs incurred by the commission pursuant to this Title and to include istrative expenses, general regulatory expenses, consulting fees and all other reasonable costs incurred to administer this Title. Notwithstanding any other provision of law, the number of employees funded by this section shall be increased by 10 on the effective date of this Act establishing the Public Advocate to compensate for an equivalent reduction in the number of employees funded by the General Fund nues which elsewhere in this section are appropriated for the use of the Public Advocate.

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

STATEMENT OF FACT

This bill raises the annual Public Utilities Commission Regulatory Fund assessment to \$1,450,000 in 1983 which together with the General Fund appropriawill provide the Public Utilities Commission duties sufficient funds to its carry out Furthermore, this bill raises fiscal year 1983-84. the annual Public Utilities Commission Regulatory Fund assessment to \$1,500,000 in 1984, which together with the General Fund appropriation will provide the Public Utilities Commission sufficient funds to carry out its duties during fiscal year 1984-85. The bill is denominated emergency legislation because statutory assessment formula must be changed prior to May 1, 1983, the assessment date under Title 35, section 17, in order to assure sufficient commission funding for the 1983-84 fiscal year.

Additional funding shown for personal services accommodates expense for 3 new positions in fiscal year 1983-84, and an additional 3 new positions in fiscal year 1984-85, and anticipated salary increase expense computed at 7% each year.

1 2 3 4	assessment for fiscal year increase in the regulatory year 1984-85 shall be used	ir 1983-84 and the fund assessment f	\$200,000
5		1983-84	1984-85
6 7 8 9	Positions Personal Services All Other Capital Expenditures	(3) \$113,637 29,763 6,600	(6) \$187,362 8,338 4,300
10	Total	\$150,000	\$200,000
11		2	2762031283