

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1

(EMERGENCY)

2

FIRST REGULAR SESSION

3

4

ONE HUNDRED AND ELEVENTH LEGISLATURE

5

6

Legislative Document

No. 1274

7

8

S.P. 421

In Senate, March 22, 1983

9

10

Submitted by the Public Utilities Commission pursuant to Joint Rule 24.
Referred to the Committee on Public Utilities. Sent down for concurrence
and ordered printed.

11

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Baldacci of Penobscot.

Cosponsors: Representative Vose of Eastport, Senator Kany of Kennebec
and Representative Bost of Orono.

12

13

STATE OF MAINE

14

15

IN THE YEAR OF OUR LORD

16

NINETEEN HUNDRED AND EIGHTY-THREE

17

18

AN ACT to Raise the Annual Public Utilities

19

Commission Regulatory Fund Assessments to

20

\$1,450,000 for Fiscal Year 1984 and

21

\$1,500,000 for Fiscal Year 1985.

22

23

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

24

25

26

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

27

28

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

29

30

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

31

32

33

34

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

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

9 Sec. 1. 35 MRSA §17, sub-§1, as amended by PL
10 1981, c. 599, §1, is further amended to read:

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

32 A. The assessments charged to utilities under
33 this section shall be deemed just and reasonable
34 operating costs for rate-making purposes.

35 B. For the purposes of this section, intrastate
36 gross operating revenues means intrastate reve-
37 nues derived from filed rates, except revenues
38 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:

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

	<u>1983-84</u>	<u>1984-85</u>
5		
6 Positions	(3)	(6)
7 Personal Services	\$113,637	\$187,362
8 All Other	29,763	8,338
9 Capital Expenditures	<u>6,600</u>	<u>4,300</u>
10 Total	\$150,000	\$200,000
11		2762031283