

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
115TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1092, L.D. 1592, Bill, "An Act to Increase the Annual Public Utilities Commission Regulatory Fund Assessment and Make Certain Other Changes"

Amend the bill in section 1 in subsection 1 in the 5th line (page 1, line 31 in L.D.) by striking out the following: "\$4,475,000" and inserting in its place the following: '\$4,473,000'

Further amend the bill by inserting after section 1 the following:

'Sec. 2. 35-A MRSA §116, sub-§2, as amended by PL 1991, c. 9, Pt. E, §20, is further amended to read:

2. **Committee recommendations; legislative approval of budget.** The joint standing committee of the Legislature having jurisdiction over public utilities may shall make recommendations to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs regarding all expenditures from the fund established pursuant to this section. Except as otherwise provided, the assessments and expenditures provided in this section are subject to legislative approval in the same manner as the budget of the Public Utilities Commission is approved. The commission shall make an annual report in accordance with section 120 of its planned expenditures for the year and on its use of funds in the previous year. The commission shall may also receive other funds as appropriated by the Legislature.

Sec. 3. 35-A MRSA §116, sub-§5, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

5. **Unexpended funds.** Except as specified in this subsection, any amount of the funds that is not expended at the end of a fiscal year shall does not lapse, but ~~shall-be~~ is

carried forward to be expended for the purposes specified in this section in succeeding fiscal years; but any unexpended funds in excess of 7% 5% of the total annual assessment authorized in subsection 1 shall must be, at the option of the commission, either be presented to the Legislature in accordance with subsection 2 for reallocation and expenditure for commission purposes, or used to reduce the utility assessment in the following fiscal year.'

Further amend the bill in section 3 in the 11th line (page 2, line 28 in L.D.) by striking out the following: "413,834" and inserting in its place the following: '411,834'

Further amend the bill in section 3 in the last line (page 2, line 38 in L.D.) by striking out the following: "\$1,097,000" and inserting in its place the following: '\$1,095,000'

Further amend the bill by renumbering the sections to read consecutively.

Further amend the bill by inserting after the emergency clause and before the statement of fact the following:

FISCAL NOTE

	1991-92	1992-93
<b>APPROPRIATIONS/ALLOCATIONS</b>		
Other Funds	\$1,095,000	\$1,540,000
<b>REVENUES</b>		
Other Funds	\$4,473,000	\$4,918,000

This bill establishes the assessment level of the Public Utilities Commission Regulatory Fund at \$4,473,000 in fiscal year 1991-92 and \$4,918,000 in fiscal year 1992-93 and allocates \$1,095,000 in fiscal year 1991-92 and \$1,540,000 in fiscal year 1992-93 of that assessment to the Public Utilities Commission for the salaries, benefits and general operating expenses of staff that were previously charged to the General Fund. The bill also reduces the percentage of unexpended funds that may be carried forward into succeeding fiscal years from 7% of the total annual assessment to 5%.'

STATEMENT OF FACT

The amendment reduces by \$2,000 the allocation from the Public Utilities Commission Regulatory Fund for "All Other"

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2 expenses of the Public Utilities Commission for fiscal year  
1991-92.

4 The amendment requires the Joint Standing Committee on  
6 Utilities to give recommendations to the Joint Standing Committee  
on Appropriations and Financial Affairs on all expenditures from  
the Public Utilities Commission Regulatory Fund.

8  
10 The amendment reduces the amount of unexpended fiscal  
year-end funds that are carried forward into succeeding fiscal  
12 years from 7% of the total annual assessment on utilities, to 5%.

14 The amendment also adds a fiscal note to the bill.

Reported by the Committee on Utilities  
Reproduced and distributed under the direction of the Clerk of the  
House  
(5/20/91) (Filing No. H- 369)