MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 620

H.P. 457

House of Representatives, January 30, 1997

An Act to Make Allocations from the Public Advocate Regulatory Fund for the Fiscal Years Ending June 30, 1998 and June 30, 1999.

(EMERGENCY)

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

OSEPH W. MAYO, Clerk

Presented by Representative KERR of Old Orchard Beach. (GOVERNOR'S BILL) Cosponsored by Senator MICHAUD of Penobscot.

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

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Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of the Office of the Public Advocate will become due and payable on or immediately after July 1, 1997; 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:

- Sec. 1. 35-A MRSA §116, sub-§8, as amended by PL 1995, c. 665, Pt. O, §1, is further amended by amending the first paragraph to read:
- Public Advocate assessment. Every utility subject to 24 assessment under this section is subject to an additional annual 26 assessment on its intrastate gross operating revenues to produce \$617,680 \$666,941 in revenues for fiscal year 1995-96 1997-98 and \$645,860 <u>\$684,549</u> in fiscal year 1996-97 <u>1998-99</u> for operating 28 the Office of Public Advocate. The revenues produced from this 30 assessment are transferred to the Public Advocate Regulatory Fund and may only be used to fulfill the duties specified in chapter The assessments charged to utilities under this subsection 32 17. considered just and reasonabl**e** operating costs rate-making purposes. The Public Advocate shall develop a method 34 of accounting for staff time within the Office of Public Advocate. All professional and support staff shall account for 36 their time in such a way as to identify the percentage of time devoted to public utility regulation and the percentage of time 38 devoted to other duties that may be required by law.

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Sec. 2. Allocation of funds. Income to the Public Advocate Regulatory Fund for the next 2 fiscal years, from July 1, 1997 to June 30, 1998 and from July 1, 1998 to June 30, 1999, must be segreated, apportioned and disbursed as designated in the following schedule:

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1997-98 1998-99

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EXECUTIVE DEPARTMENT

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Office of the Public Advocate

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	Positions - Legislative Count	(7.000)	(7.000)
4	Personal Services All Other	\$453,454	\$464,036
6	All Other	213,487	220,513
Ü	EXECUTIVE DEPARTMENT		
8	TOTAL	\$666,941	\$684,549
10	Sec. 3. Adjustments to allocations. Allocations may be increased or adjusted by the State Budget Officer, with the approval of the		
12	Governor, to specifically cover those necessary under any salary plan approved	by the Legisla	ature and
14	those reclassifications or range changes by the Department of Administrative and		
16	submitted for legislative review prior to the effective date of this Act.		
18	_		
20	Emergency clause. In view of the emergency cited in the preamble, this Act takes effect July 1, 1997.		
22	ETCCAT NOTE:		
24	FISCAL NOTE		
		1997-98	1998-99
26			
2.0	Allocations from the Public	#ccc 0.43	*****
28	Advocate Regulatory Fund	\$666,941	\$684,549
30			
32	SUMMARY		
34	This bill makes allocations from Regulatory Fund for the fiscal years en		Advocate 1998 and
36	June 30, 1999.	-a	2550 and