

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

SECOND SPECIAL SESSION

September 25, 1981

AND

THIRD SPECIAL SESSION

December 9, 1981

AND

SECOND REGULAR SESSION

January 6, 1982 to April 13, 1982

AND AT THE

FOURTH SPECIAL SESSION

April 28, 1982 to April 29, 1982

AND AT THE

FIFTH SPECIAL SESSION

May 13, 1982

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co.
Augusta, Maine
1981

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND AND THIRD SPECIAL SESSIONS

and

SECOND REGULAR SESSION

and

FOURTH AND FIFTH SPECIAL SESSIONS

of the

ONE HUNDRED AND TENTH LEGISLATURE

1981

CHAPTER 681

H.P. 1865 - L.D. 1859

AN ACT to Restrict Rate Increase Proposals by Public Utilities.

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

35 MRSA §64, as amended by PL 1981, c. 408, is further amended by inserting after the first paragraph 2 new paragraphs to read:

Without the approval of the commission, no utility may file a schedule or schedules for a general increase in rates pursuant to this section within one year of a prior filing for a general increase in rates pursuant to this section. This requirement shall not prevent any utility, at any time, from notifying the commission in advance, either voluntarily or in accordance with a commission requirement under this section, of its plans to file a general increase in rates. Nothing in this section may be construed to limit any utility's right, at any time, to petition pursuant to section 311 for temporary rate relief.

For the purposes of this section, a "general increase in rates" is defined as any change in the rates, tolls and charges of the public utility, the effect of which is to increase the annual operating revenues of a public utility by more than 1%, provided that this term shall not include a rate change made for the sole purpose of implementing a fuel cost adjustment rate, pursuant to section 131.

Effective July 13, 1982.

CHAPTER 682

H.P. 1795 - L.D. 1785

AN ACT Concerning the Rate of Return on Investment Factor Under the Railroad Excise Tax.

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

Sec. 1. 36 MRSA §2624, first ¶, 8th sentence, as

repealed and replaced by PL 1979, c. 470, is amended to read:

For the ~~purpose~~ purposes of this section, "operating investment" means investment in railway property used in transportation service, (less depreciation) plus cash, (including temporary cash investments and special deposits) plus material and supplies, all as reported by the railroad in its annual report to the Public Utilities Commission.

Sec. 2. 36 MRSA §2624, first ¶, 9th sentence, as amended by PL 1981, c. 384, is further amended to read:

For purposes of railroad excise taxes payable in 1980, ~~1981 and 1982 through 1983~~, based upon operations for the calendar years ~~1979, 1980 and 1981 through 1982~~, "operating investment" shall also include freight car operating leases of 10 years or more, valued at cost less straight-line depreciation over the initial term of the lease.

Effective July 13, 1982.

CHAPTER 683

S.P. 854 - L.D. 1991

AN ACT to Facilitate the Removal of Clouds on Titles to Proposed Unaccepted Streets in Subdivisions.

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

Whereas, this legislation provides for a one-year period during which a person claiming a right in a subdivision street may file his claim after an order vacating the street is recorded; and

Whereas, if vacation orders may be entered as soon as possible after passage of this legislation that time period may begin to run; and

Whereas, it is important to clear the title to appropriately vacate subdivision streets in time for next year's