

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 1-452

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH
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ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co., Inc.
Augusta, Maine
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

CHAPTER 390

H.P. 1228 - L.D. 1632

AN ACT to Increase the Annual Public Utilities Commission Regulatory Fund Assessment to \$1,460,000, beginning in Fiscal Year 1984.

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

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

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

Whereas, the current assessment allowance will not provide the Public Utilities Commission with sufficient funds; 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 MRSA §17, sub-§1, as amended by PL 1981, c. 599, §1, is further amended to read:

1. 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 not more than .25% on its intrastate gross operating revenues to produce no more than ~~\$1,000,000 in revenue annually~~ \$1,160,000 in revenues beginning in the 1983-84 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 activities which shall instead be appropriated for

the use of the Public Advocate. The commission shall determine the assessments annually prior to May 1st and shall assess each utility for its pro rata 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.

Sec. 2. 35 MRSA §17, sub-§4, as amended by PL 1981, c. 479, §4, is further amended to read:

4. Use of funds. The Public Utilities Commission is authorized to fund ~~22~~ 25 employees beginning in the 1983-84 fiscal year from the revenues provided in this section to defray the costs incurred by the commission pursuant to this Title and to include administrative 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 revenues which elsewhere in this section are appropriated for the use of the Public Advocate.

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

Effective June 7, 1983.

CHAPTER 391

S.P. 566 - L.D. 1639

AN ACT to Increase the Number of Voting
Booths Required in Maine Elections.

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

Sec. 1. 21 MRSA §603, sub-§1, as amended by PL 1977, c. 468, is repealed and the following enacted in its place: