

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

SECOND SPECIAL SESSION

November 18, 1983

AND AT THE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

AND AT THE

THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND ELEVENTH LEGISLATURE
JANUARY 4, 1984 TO APRIL 25, 1984

For the purpose of assisting a district in financing any solid waste facility authorized by this chapter, and notwithstanding any other provision of law, any individual municipality may issue general obligation bonds backed by the full faith and credit of the municipality. Proceeds of the bonds or any part thereof may be either loaned or contributed to a district of which a municipality is a member. The issuance of the bonds and the loaning or contributing of funds to a district formed under this chapter shall constitute a valid purpose for which a municipality may raise or appropriate money under Title 30, sections 5101 to 5108. General obligation bonds issued by a municipality under this section shall be a municipal security as defined in Title 30, section 5163 and shall be eligible for purchase by the Maine Municipal Bond Bank. Nothing in this section may be read or construed to prohibit a municipality acting under this section from levying user fees and charges and discharging its debt out of the funds generated by the fees and charges. A municipality issuing bonds under this section and a district receiving the proceeds of the bonds may enter into such contracts and agreements as they may agree upon, both with each other and 3rd parties, establish trust or enterprise funds to provide for timely payment of the bonds, employ a trustee and do all things which may be necessary or convenient to the district or the municipality to make use of the bonds, as may be determined by the board of directors of the district and the municipal officers of the municipality.

Effective July 25, 1984.

CHAPTER 821

H.P. 1809 - L.D. 2391

AN ACT to Raise the Annual Public
Utilities Commission Regulatory Fund
Assessments to \$1,594,000 and to Allocate
those Funds for Fiscal Year 1985.

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

Whereas, certain obligations and expenses incident to the operation of the Public Utilities Commission will become due and payable on or immediately after July 1, 1984; and

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

Whereas, the assessment for the first of those fiscal years, fiscal year 1985, must take place before May 1, 1984; 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 1983, c. 390, §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 ~~\$1,160,000~~ \$1,294,000 in revenues annually beginning in the ~~1983-84~~ 1984-85 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 1983, c. 390, §2, is further amended to read:

4. Use of funds. The Public Utilities Commission is authorized to fund 25 35 employees beginning in the 1983-84 1984-85 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.

Sec. 3. Allocations from the Public Utilities Commission Regulatory Fund. Income not otherwise allocated from the Public Utilities Commission Regulatory Fund, \$134,000, is allocated for the fiscal year July 1, 1984, to June 30, 1985, and shall be segregated, apportioned and disbursed as designated in the following schedule:

1984-85

ECONOMIC DEVELOPMENT
PUBLIC UTILITIES COMMISSION

Public Utilities Commission
Regulatory Fund

Positions	(4)
Personal Services	\$64,506
All Other	41,374
Capital Expenditures	<u>28,120</u>
Total	\$134,000

This makes additional allocations from the Public Utilities Commission Regulatory Fund. Legislative allocation is required by the Revised Statutes, Title 35, section 17, subsection 2.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect on July 1, 1984.

Effective July 1, 1984.