

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

and the

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Twin City Printery
Lewiston, Maine
1988

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST AND SECOND SPECIAL SESSIONS
and
SECOND REGULAR SESSION
of the
ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

	1988-89
<u>DEFENSE AND VETERANS' SERVICES, DEPARTMENT OF</u>	
Radiological Emergency Preparedness Committee	
All Other	\$ 33,000
Capital Expenditures	67,000
TOTAL	<u>\$100,000</u>

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

Effective March 23, 1988.

CHAPTER 631

H.P. 1630 — L.D. 2225

AN ACT to Increase the Effectiveness of the Public Utilities Commission through Computerization and to Provide Certain Exceptions from the Annual Regulatory Fund Assessment and from Filing Annual Reports and Certain Other Changes.

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

Sec. 1. 2 MRSA §6-A, sub-§3-A, as enacted by PL 1985, c. 618, §2, is amended to read:

3-A. **Other employees; range 80.** The salaries of the following employees shall be within salary range 80:

- A. Assistant administrative director; ~~and~~
- B. Assistant to the director of consumer assistance; and
- C. Administrative assistant to the administrative director.

Sec. 2. 5 MRSA §931, sub-§1, ¶J, as repealed and replaced by PL 1987, c. 402, Pt. A, §27, is repealed and the following enacted in its place:

J. Staff attorney, financial analyst, chief utility accountant, utility accountant III, assistant administrative director, administrative assistant to the administrative director and assistant to the director of consumer assistance positions at the Public Utilities Commission;

Sec. 3. 35-A MRSA §107, sub-§2, ¶¶A and C, as enacted by PL 1987, c. 141, Pt. A, §6, are amended to read:

A. The general counsel, the administrative director, the assistant administrative director, the administra-

tive assistant to the administrative director, the director of finance, the director of technical analysis, the director of consumer assistance and the assistant to the director of consumer assistance shall serve at the pleasure of the commission and their salaries shall be set by the commission within the ranges established by Title 2, section 6-A.

C. The salaries of the other subordinate officials and employees of the commission, other than those of the general counsel, the administrative director, the assistant administrative director, the administrative assistant to the administrative director, the director of finance, the director of technical analysis, the director of consumer assistance, the assistant to the director of consumer assistance and the staff attorney, financial analyst, chief utility accountant and utility accountant III positions, shall be subject to the Civil Service Law, except as provided in paragraph D.

Sec. 4. 35-A MRSA §116, sub-§1, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

1. Utilities subject to assessments. Every electric, gas, telegraph, telephone and water utility and ferry subject to regulation by the commission shall be subject to an assessment of not more than .25% on its intrastate gross operating revenues to produce no more than ~~\$2,210,000 in revenues annually beginning in the 1987-88 fiscal year and not more than \$2,300,000~~ \$2,386,000 in revenues annually beginning in the 1988-89 fiscal year. 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. Any increase in the assessment that becomes effective subsequent to May 1st may be billed on the effective date of the act authorizing the increase.

A. The assessments charged to utilities under this section are 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.

C. Gas utilities subject to the jurisdiction of the commission solely with respect to safety shall not be subject to any assessment ~~until the commission has reviewed the scope and cost of that jurisdiction and an assessment or fee structure is authorized by the Legislature.~~

D. The commission may correct any errors in the assessments by means of a credit or debit to the following year's assessment rather than reassessing all utilities in the current year.

E. The commission may exempt utilities with annual intrastate gross operating revenues under \$50,000 from assessments under this section.

Sec. 5. 35-A MRSA §116, sub-§4, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

4. Use of funds. The Public Utilities Commission may use the revenues provided in accordance with this section to fund 43 45 employees and 2 seasonal legal researchers and to defray the costs incurred by the commission pursuant to this Title, including administrative expenses, general regulatory expenses, consulting fees and all other reasonable costs incurred to administer this Title.

Sec. 6. 35-A MRSA §504, sub-§3, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

3. Extension. The commission may, for good cause, extend the deadline set out in subsection 2 not exceeding one month and may excuse any public utility from filing its returns when the gross revenue of the utility does not exceed \$3,000 \$50,000.

Sec. 7. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	<u>1988-89</u>
<u>PUBLIC UTILITIES COMMISSION</u>	
Personal Services	\$ 1,400
Provides funding for placing administrative assistant position in unclassified service.	
All Other	(1,400)
Deappropriates surplus funds to support declassification.	
Total	<u>\$ 0</u>

Sec. 8. Allocation of Public Utilities Commission Regulatory Fund. Income not otherwise allocated from the Public Utilities Commission Regulatory Fund is allocated for the fiscal year ending June 30, 1989, and shall be segregated, apportioned and disbursed as designated in the following schedule:

	<u>1988-89</u>
<u>PUBLIC UTILITIES COMMISSION</u>	
Positions	(2)
Personal Services	\$60,000
All Other	15,000
Capital Expenditures	<u>2,000</u>
Total	\$77,000

Effective August 4, 1988.

CHAPTER 632

H.P. 1649 — L.D. 2257

AN ACT to Correct Liquor License Fees.

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

Whereas, a restructuring of license fees for the sale of beer and wine to be consumed off the premises where sold was undertaken in the revision of liquor laws during the First Regular Session of the 113th Legislature; and

Whereas, the restructuring was designed to produce no net loss of revenue to the State because as some license fees were lowered, others were raised; and

Whereas, one of the license fee increases was omitted from the legislation making the changes; and

Whereas, without the collection of the additional \$10 intended in the restructuring, the State will experience a loss in revenue; 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:

28-A MRSA §1007-A is enacted to read:

§1007-A. Surcharge on Class VI licenses

In addition to the license fee for full-time Class VI licenses provided in section 1007, subsection 2, paragraph A, there is imposed a \$10 surcharge on all full-time Class VI licenses issued after September 28, 1987.

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

Effective March 23, 1988.

CHAPTER 633

H.P. 1467 — L.D. 1978

AN ACT to Permit Sharing of Confidential Information between Criminal Justice Agencies at all Governmental Levels.

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

Sec. 1. 34-A MRSA §1001, sub-§§19 to 21 are enacted to read:

19. Administration of criminal justice. "Administration of criminal justice" has the same meaning as in Title 16, section 611, subsection 1.