

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

THIRD SPECIAL SESSION

October 1, 1992 to October 6, 1992

FOURTH SPECIAL SESSION

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 13, 1993

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

J.S. McCarthy Company
Augusta, Maine
1993

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND SIXTEENTH LEGISLATURE

1993

Sec. 1. 35-A MRSA §107, sub-§2, ¶B, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

B. The compensation of the staff attorney, ~~seasonal legal researcher, financial and utility analyst, chief utility accountant and utility accountant~~ ~~III~~ positions shall be are fixed by the commission with the approval of the Governor, but the compensation shall ~~may~~ not in the aggregate exceed the total amount appropriated or allocated in the commission's budget.

Sec. 2. 35-A MRSA §107, sub-§2, ¶C, as amended by PL 1987, c. 631, §3, is further amended to read:

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 and utility analyst, chief utility accountant and utility accountant~~ ~~III~~ positions, shall be are subject to the Civil Service Law; ~~except as provided in paragraph D.~~

Sec. 3. 35-A MRSA §107, sub-§2, ¶D, as enacted by PL 1987, c. 141, Pt. A, §6, is repealed.

Sec. 4. 35-A MRSA §116, sub-§4, as amended by PL 1991, c. 9, Pt. E, §21, is further amended to read:

4. Use of funds. The Public Utilities Commission may use the revenues provided in accordance with this section to fund 69 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.

See title page for effective date.

CHAPTER 119

H.P. 686 - L.D. 927

An Act to Include a Waiver Provision for the Advance Notice Required by the Public Utilities Commission for Energy Agreements and Contracts

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

Sec. 1. 35-A MRSA §3133-A, sub-§1, as enacted by PL 1987, c. 387, §4, is amended to read:

1. Certificate of public convenience and necessity. Except as provided in subsection 3, no electric utility may enter into any significant agreement or contract, as defined in subsection 2, unless the commission has issued a certificate of public convenience and necessity approving the proposed agreement or contract. The utility shall must file a notice with the commission; no less than 2 months in advance of submitting its petition for a certificate of public convenience and necessity for the proposed agreement or contract. The commission may waive the requirement that at least 2 months' advance notice be given. The commission shall rule on any request for waiver within 60 days. The commission may require the petitioner to make available such additional information as it ~~deems~~ determines necessary. The petition shall must contain such information as the commission may by rule prescribe. The petition shall must be set down for public hearing. The commission shall issue its order within 12 months after the complete petition is filed. If there is then outstanding a long-range plan for the utility pursuant to section 3134, ~~which that~~ which that includes the agreement or contract, the utility need not provide advance notice of its intent to file the petition and the commission shall issue its order within 9 months after the complete petition is filed.

In its order, the commission shall make specific findings with regard to the agreement or contract. If the commission finds that a need for it exists and it is reasonable and consistent with the public interest, the commission shall issue the certificate of public convenience and necessity.

The issuance of a certificate of public convenience and necessity establishes that, as of the date of issuance, the decision by the utility to enter into the agreement or contract was prudent.

See title page for effective date.

CHAPTER 120

S.P. 389 - L.D. 1184

An Act Concerning Independent Contractors and the Responsibilities of Landowners under the Workers' Compensation Laws

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

Whereas, the wood harvesting season is about to recommence; and