

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

SECOND REGULAR SESSION
January 7, 1998 to March 31, 1998

SECOND SPECIAL SESSION
April 1, 1998 to April 9, 1998

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 1998

SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 9, 1998

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
1997

CHAPTER 719

H.P. 1647 - L.D. 2277

An Act to Implement the Recommendations of the Majority of the Joint Standing Committee on Utilities and Energy Arising from Its Government Evaluation Act Review of the Office of the Public Advocate

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

Whereas, the Office of the Public Advocate needs immediate supplemental funding to support its current case load and obligations; 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-A MRSA §116, sub-§8, ¶C-1, as enacted by PL 1993, c. 633, §2 and affected by §3, is amended to read:

C-1. Except as specified in this subsection, funds that are not expended at the end of a fiscal year do not lapse but must be carried forward to be expended for the purposes specified in this section in succeeding fiscal years; but, with the exception of funds carried forward from fiscal year 1996-97 to fiscal year 1997-98, unexpended funds in excess of 10% of the total annual assessment authorized in this section must, at the option of the Public Advocate, either be presented to the Legislature in accordance with paragraph A for reallocation and expenditure or used to reduce the utility assessment in the following fiscal year. In the case of funds carried forward from fiscal year 1996-97 to fiscal year 1997-98, 100% of these funds may be expended for the purposes specified in this section.

Sec. 2. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

	1997-98	1998-99
EXECUTIVE DEPARTMENT		
Public Advocate		
All Other	\$60,483	

Provides funds from the unexpended balance at the end of fiscal year 1996-97 to cover increased costs associated with rate cases and the closing of the Maine Yankee Nuclear Power Plant.

Public Advocate		
Personal Services	\$13,000	\$30,000
All Other		350,000
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TOTAL	13,000	380,000

Provides for the allocation of funds to pay salary increases for the Public Advocate and the Public Advocate's staff and to cover costs of consultants and expert witnesses to handle cases involving electric industry restructuring, telephone utility regulation and the Maine Yankee Nuclear Power Plant decommissioning.

EXECUTIVE DEPARTMENT	<hr/>	<hr/>
TOTAL	\$73,483	\$380,000

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

Effective April 7, 1998.

CHAPTER 720

H.P. 1657 - L.D. 2286

An Act to Implement the Recommendations of the Majority of the Joint Standing Committee on Agriculture, Conservation and Forestry Regarding Enhancing Forest Resource Assessment

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

Sec. 1. 12 MRSA §8867, as amended by PL 1991, c. 722, §4, is repealed.

Sec. 2. 12 MRSA §8867-A is enacted to read:

§8867-A. Rulemaking