

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2012 to July 10, 2013

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 9, 2013

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

Augusta, Maine
2013

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

Sec. 1. Adoption. Resolved: That final adoption of Chapter 675: Infrastructure Surcharge and Capital Reserve Accounts, a provisionally adopted major substantive rule of the Public Utilities Commission that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the rule is amended as follows:

1. Language is added to clarify in section 4(A)(1) that the infrastructure surcharge may not result in an increase in revenue requirements greater than 3% of current revenue requirements;
2. Language is added to clarify in section 4(A)(3) that the infrastructure surcharge may not result in an increase in revenue requirements greater than 7.5% of current revenue requirements;
3. Section 4(B)(2) is changed to provide that the amount of the utility's revenue requirement attributed to fund a capital reserve account may not exceed the percentages listed in that paragraph; and
4. Language is added to Section 6(A)(1)(b)(i) to include as an option when calculating rate of return for an investor-owned water utility allowing the investor-owned water utility, the Public Utilities Commission's advisory staff and the Office of the Public Advocate to agree in advance of the filing of the infrastructure surcharge request on the current cost of debt and the return on equity and capital structure to be used.

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

Effective April 16, 2013.

CHAPTER 10
H.P. 327 - L.D. 477

**Resolve, To Open Wild Turkey
Hunting in Wildlife
Management District 27 for the
2013 Spring Turkey Hunting
Season**

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

Whereas, an expanded wild turkey population is having a detrimental effect on early spring blueberry buds in Wildlife Management District 27, threatening the 2013 wild blueberry harvest; and

Whereas, Wildlife Management District 27 consists of many coastal towns and coastal islands containing many of the State's blueberry barrens in Washington County and Hancock County; and

Whereas, the wild blueberry industry is critically important to the Maine economy and the Down-east region in particular; and

Whereas, a spring turkey hunting season in Wildlife Management District 27 would expand opportunities for hunters; 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

Sec. 1. Wildlife Management District 27 open for 2013 spring turkey hunting season. Resolved: That, notwithstanding any other provision of law or rule, except as provided in this section, in 2013, an open spring season is established for the hunting of wild turkey within Wildlife Management District 27 as described in Chapter 4.00 of the Department of Inland Fisheries and Wildlife rules except for those areas closed to hunting described in the Maine Revised Statutes, Title 12, section 12706, subsection 1. The season begins on April 29, 2013 and continues for 5 consecutive weeks until June 3, 2013. Chapter 4.06, Section 1, Paragraphs C, D, E and F of the Department of Inland Fisheries and Wildlife rules apply to the season in Wildlife Management District 27 established by this section.

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

Effective April 25, 2013.
