

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

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

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PORTLAND LITHOGRAPH COMPANY  
PORTLAND, MAINE  
1977

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PUBLIC LAWS  
OF THE  
**STATE OF MAINE**

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deny, suspend or revoke any exemption claimed under this subsection, if he shall deem such action to be in the public interest. Under no circumstances shall the exemption under this subsection apply when there are more than 25 stockholders in any given business entity, regardless of the number of classes of stock offered.

Effective October 24, 1977

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## CHAPTER 475

### AN ACT Relating to Electric Companies' Fuel Charges.

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

35 MRSA § 131, sub-§ 3, as enacted by PL 1975, c. 489, § 1, is amended by adding at the end the following new sentences:

Not less than semiannually, the commission shall prepare and make public a report on any automatic fuel charges for any utility with gross annual revenues in Maine of more than \$2,500,000. Such report shall state clearly and intelligibly the basis for the fuel charges, trends in those charges, the reason for those trends, and the commission's best estimate of fuel charges for the next 6 months.

Effective October 24, 1977

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## CHAPTER 476

### AN ACT Relating to the Powers of Plantations.

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

Whereas, federal funds are available for certain services in plantations, and may be lost with undue delay in their eligibility; and

Whereas, many services immediately necessary may have to be forgone if this bill is not immediately enacted; and

Whereas, these services are vitally necessary to the well-being of citizens that live in these plantations; and

Whereas, in the judgment of the Legislature, these facts create an emergency within 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. 30 MRSA § 5109, sub-§ 4 is enacted to read:

4. Grants. Plantations organized prior to November 1, 1977, may apply for, accept and appropriate federal or state grants for any purpose which they are authorized by law to perform, either directly or through the State or a state agency.

Sec. 2. 30 MRSA § 5153, as enacted by PL 1971, c. 583, is amended by adding after the first sentence a new sentence to read:

The municipal officers of any plantation organized prior to November 1, 1977, may contract for and accept an offer or a grant of federal or state aid, or both, for any purpose for which the plantation is authorized to raise or expend money.

Sec. 3. 30 MRSA § 5153, 2nd sentence, as enacted by PL 1971, c. 583, is amended to read:

Notwithstanding any provisions in a charter or special Act of the Legislature, but subject to the constitutional limit on indebtedness, any municipality plantation organized prior to November 1, 1977 or municipality which has contracted for and accepted an offer or a grant of federal or state aid or both, for a particular project, may by vote of its municipal officers incur indebtedness in anticipation of the receipt of such aid for the particular project by issuing its general obligation notes payable in not more than one year, which notes may be renewal from time to time by the issue of other notes, provided that no notes shall be issued or renewed in an amount which at the time of such issuance or renewal exceeds the unpaid amount of the federal or state aid in anticipation of which such notes are issued or renewed, as the case may be.

Sec. 4. 30 MRSA § 5153, last ¶, 1st sentence, as enacted by PL 1975, c. 651, § 6, is amended to read:

In addition, the municipal officers of any ~~municipality~~ plantation organized prior to November 1, 1977 or municipality may borrow in anticipation of any funds or reimbursements that the Legislature has authorized to be paid to ~~municipalities~~ plantations organized prior to November 1, 1977 or municipalities for education purposes during the municipal year.

Sec. 5. P & SL 1975, c. 25, § 1, as amended by P & SL 1977, c. 24, is repealed and the following enacted in its place:

Sec. 1. The Plantation of Matinicus is hereby authorized to acquire, construct, reconstruct improve, extend, enlarge, equip, repair, own, operate and maintain an electric power generating facility and to acquire, lease, purchase, equip, repair, own, operate and maintain ferries or boats for transportation to and from the mainland and the island. For these purposes the plantation

is vested with the power to raise money at its annual meeting, or at any legal meeting called for that purpose, and to apply for and accept grants of federal or state aid or both, for the purchase or lease of lands, water power, dams, manufactures and works for providing and supplying electricity; for the purchase of apparatus necessary for equipping and properly maintaining an electric power generating facility; for the proper operation, upkeep and maintenance of such a facility; and for the acquisition, lease, purchase, equipping, repairing, owning, operating and maintaining ferries or boats.

Sec. 6. P & SL 1975, c. 25, § 3-A is enacted to read:

Sec. 3-A. The municipal officers are authorized to fix by regulation, to revise from time to time and to collect fares, rates or other charges for the use of the ferries or boats.

Sec. 7. P & SL 1975, c. 25, § 4, first sentence is amended to read:

The plantation is also authorized to issue general obligation bonds, not to exceed the general law, to pay the cost of the acquisition, construction, reconstruction, improvement, extension and enlargement of, and equipment for, the electric power generating facility or the ferries or boats.

Sec. 8. P & SL 1975, c. 25, § 5 is amended to read:

Sec. 5. The plantation is also authorized, after it has issued general obligation bonds for the electric power generating facility or the ferries or boats, to raise by taxation and appropriate a sum not to exceed 50% of the cost of the principal and interest payments on the general obligation bonds in any year and 50% of the current operating costs for that year.

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

Effective July 7, 1977

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## CHAPTER 477

**AN ACT Concerning the Administration of Laws by the Bureau of Taxation.**

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

Sec. 1. 36 MRSA § 6 is enacted to read:

§ 6. Payments; refund or abatement

A taxpayer may pay any tax, make any deposit or file any bond, at any time, without forfeiting any right to apply for a refund or an abatement, or to seek review of the validity of the tax. No such tax, bond or deposit need be