

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2008 to June 13, 2009

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 12, 2009

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

Augusta, Maine
2009

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

Effective May 8, 2009.

CHAPTER 16

H.P. 348 - L.D. 486

An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2010

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

Sec. 1. Allocation. Gross revenues of the Maine Turnpike Authority for the calendar year ending December 31, 2010 must be segregated, apportioned and disbursed as designated in the following schedule.

MAINE TURNPIKE AUTHORITY 2010

Administration

Personal Services	\$1,228,245
All Other	1,858,344
TOTAL	\$3,086,589

Accounts and Controls

Personal Services	\$3,130,431
All Other	1,429,060
TOTAL	\$4,559,491

Highway Maintenance

Personal Services	\$4,385,102
All Other	3,100,730
TOTAL	\$7,485,832

Equipment Maintenance

Personal Services	\$1,070,368
All Other	2,299,303
TOTAL	\$3,369,671

Fare Collection

Personal Services	\$11,711,809
All Other	4,943,656
TOTAL	\$16,655,465

Public Safety and Special Services

Personal Services	\$471,666
All Other	5,398,112
TOTAL	\$5,869,778

Building Maintenance

Personal Services	\$781,733
All Other	702,632
TOTAL	\$1,484,365

Subtotal of Line Items Budgeted \$42,511,191

General Contingency - 5% of line items budgeted for 2010 (10% allowed) 2,125,560

MAINE TURNPIKE AUTHORITY
TOTAL REVENUE FUNDS **\$44,636,751**

Sec. 2. Transfer of allocations. Any balance of the allocation for "General Contingency" made by the Legislature for the Maine Turnpike Authority may be transferred at any time prior to the closing of the books to any other allocation or subdivision of any other allocation made by the Legislature for the use of the Maine Turnpike Authority for the same calendar year. Any balance of any other allocation or subdivision of any other allocation made by the Legislature for the Maine Turnpike Authority that at any time is not required for the purpose named in the allocation or subdivision may be transferred at any time prior to the closing of the books to any other allocation or subdivision of any other allocation made by the Legislature for the use of the Maine Turnpike Authority for the same calendar year subject to review by the joint standing committee of the Legislature having jurisdiction over transportation matters. Financial statements describing the transfer, other than a transfer from "General Contingency," must be submitted by the Maine Turnpike Authority to the Office of Fiscal and Program Review 30 days before the transfer is to be

implemented. In the case of extraordinary emergency transfers, the 30-day prior submission requirement may be waived by vote of the committee. These financial statements must include information specifying the accounts that are affected, amounts to be transferred, a description of the transfer and a detailed explanation as to why the transfer is needed.

Sec. 3. Encumbered balance at year-end.

At the end of each calendar year, encumbered balances may be carried to the next calendar year.

Sec. 4. Supplemental information. As required by the Maine Revised Statutes, Title 23, section 1961, subsection 6, the following statement of the revenues in 2010 that are necessary for capital expenditures and reserves and to meet the requirements of any resolution authorizing bonds of the Maine Turnpike Authority during 2010, including debt service and the maintenance of reserves for debt service and reserve maintenance, is submitted.

Turnpike Revenue Bond **2010**
Resolution Adopted April 18,
1991; Issuance of Bonds
Authorized Pursuant to the
Maine Revised Statutes, Title 23,
section 1968, subsections 1 and
2-A

Debt Service Fund	\$26,264,560
Reserve Maintenance Fund	25,000,000
General Reserve Fund, to be applied as follows:	
Capital Improvements	12,679,899
Debt Service Fund under the General Special Obligation Bond Resolution Adopted May 15, 1996; Issuance of Bonds Authorized Pursuant to the Maine Revised Statutes, Title 23, section 1968, subsection 2-A	2,466,813
TOTAL	\$66,411,272

See title page for effective date.

CHAPTER 17

H.P. 714 - L.D. 1039

An Act Concerning Advanced Directives To Give Effect to a Person's End-of-life Health Care Decisions

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

Sec. 1. Education about communicating end-of-life decisions. The Attorney General shall:

1. Develop a program to educate the public about end-of-life decisions and the steps individuals must take to have their end-of-life decisions honored by all medical personnel; and

2. Develop a program to educate the legal sector and others who prepare living wills and other advance directives about end-of-life decisions and the steps individuals must take to have their end-of-life decisions honored by all medical personnel.

See title page for effective date.

CHAPTER 18

H.P. 815 - L.D. 1176

An Act To Revise the Charter of the Portland Water District

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

Sec. 1. P&SL 1907, c. 433, §9, first ¶, as repealed and replaced by P&SL 1975, c. 84, is amended to read:

Sec. 9. Authorized to borrow money to issue bonds and notes. The district, through its trustees and without vote of its inhabitants, is authorized to issue from time to time bonds or notes of the district ~~to pay for the costs of capital outlay incurred by the district~~ in connection with accomplishing any of the purposes set forth in this Act, including to finance any necessary expenses and liabilities incurred in acquiring properties; renovating properties; laying pipes, aqueducts, conduits, drains, interceptor lines, trunk sewers, force mains; and outfalls; construction of treatment plants, laboratories and other water and ~~waste water~~ wastewater and sewer facilities; and ~~for~~ making renewals, additions, extensions and improvements, to finance any of the regional costs as defined in section 12, to provide funds to assist any participating municipality with respect to its financing costs assessed pursuant to section 13, subsection B and to fund the establishment of a reasonable reserve for future payments of debt service, and for interest on bonds or notes during the period of construction of items of capital out-