

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

SECOND REGULAR SESSION
January 6, 2010 to April 12, 2010

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 12, 2010

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

Augusta, Maine
2010

under the Maine Revised Statutes, Title 35-A, chapter 64.

Sec. 4. Additional powers. The district has the authority to provide water and wastewater service to the customers of the district and to residents in the Town of Lincolnville outside the territory described in section 1.

Sec. 5. Number of trustees. The board of trustees of the district is composed of 3 trustees. Trustees must be residents and voters of the district.

Sec. 6. First board. The first board is appointed by the municipal officers of the Town of Lincolnville. The terms of the first board are governed by the Maine Revised Statutes, Title 35-A, section 6410, subsection 4.

Sec. 7. Terms of trustees; vacancies. After the appointment of the first board of trustees of the district, trustees are elected to 3-year terms in accordance with the Maine Revised Statutes, Title 35-A, section 6410. Vacancies are filled in accordance with Title 35-A, section 6410.

Sec. 8. Eminent domain. The district has no eminent domain authority outside the district.

Sec. 9. Town responsibility. Except for the initial appointment of the board of trustees and the initial referendum, the Town of Lincolnville is not responsible for any acts of the district.

Sec. 10. Referendum; effective date. This Act takes effect when approved only for the purpose of permitting its submission to the legal voters within the territory described in section 1 of this Act at a town meeting called for that purpose and held by July 1, 2012. The meeting must be called by the municipal officers of the Town of Lincolnville and be held at the regular voting place. The meeting must be called, advertised and conducted according to the law relating to municipal elections, except that the registrar of voters is not required to prepare or the clerk to post a new list of voters. For the purpose of registration of voters, the registrar of voters must be in session the secular day preceding the meeting. The subject matter of this Act is reduced to the following question:

"Do you favor creating the Lincolnville Sewer District?"

The results must be declared by the municipal officers of the Town of Lincolnville and due certificate of the results filed by the clerk with the Secretary of State.

This Act takes effect for all other purposes immediately upon its acceptance by a majority of the legal voters voting at the town meeting. Failure to achieve the necessary approval by a majority of voters at a town meeting does not prohibit subsequent referenda

consistent with this section, as long as the town meetings are held prior to July 1, 2012.

Effective pending referendum.

CHAPTER 33

H.P. 1240 - L.D. 1743

An Act To Provide for the 2010 and 2011 Allocations of the State Ceiling on Private Activity Bonds

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

Whereas, the Maine Revised Statutes, Title 10, section 363 and Private and Special Law 2009, chapter 14 make a partial allocation of the state ceiling on private activity bonds to some issuers for calendar year 2010, but leave a portion of the state ceiling unallocated and do not provide sufficient allocations for certain types of private activity bonds that may require an allocation prior to the effective date of this Act if not enacted on an emergency basis; and

Whereas, if these bond issues must be delayed due to lack of available state ceiling, the rates and terms under which these bonds may be issued may be adversely affected, resulting in increased costs to beneficiaries or even unavailability of financing for certain projects; 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. Allocation to the Treasurer of State. The \$5,000,000 in state ceiling for calendar year 2010 previously allocated to the Treasurer of State remains allocated to the Treasurer of State to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 5 for calendar year 2010. Five million dollars of the state ceiling for calendar year 2011 is allocated to the Treasurer of State to be used or reallocated in accordance with Title 10, section 363, subsection 5.

Sec. 2. Allocation to the Finance Authority of Maine. The state ceiling on private activity bonds allocated to the Finance Authority of Maine is as follows.

1. The \$40,000,000 in state ceiling for calendar year 2010 previously allocated to the Finance Authority of Maine remains allocated to the Finance Authority of Maine to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 6 for calendar year 2010. Forty million dollars of the state ceiling for calendar year 2011 is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 6.

2. The \$60,000,000 in state ceiling for calendar year 2010 previously allocated to the Finance Authority of Maine remains allocated to the Finance Authority of Maine, the entity designated pursuant to the Maine Revised Statutes, Title 20-A, section 11407, to be used or reallocated in accordance with Title 10, section 363, subsection 8-A. Ten million dollars of previously unallocated state ceiling for calendar year 2010 is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 8-A for calendar year 2010. Forty million dollars of the state ceiling for calendar year 2011 is allocated to the Finance Authority of Maine, the entity designated pursuant to Title 20-A, section 11407, to be used in accordance with Title 10, section 363, subsection 8-A.

Sec. 3. Allocation to the Maine Municipal Bond Bank. The \$10,000,000 of the state ceiling for calendar year 2010 previously allocated to the Maine Municipal Bond Bank remains allocated to the Maine Municipal Bond Bank to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 7 for calendar year 2010. Ten million dollars of the state ceiling for calendar year 2011 is allocated to the Maine Municipal Bond Bank to be used or reallocated in accordance with Title 10, section 363, subsection 7.

Sec. 4. Allocation to the Maine Educational Loan Authority. Twenty million dollars of the \$40,000,000 of state ceiling for calendar year 2010 previously allocated to the Maine Educational Loan Authority remains allocated to the Maine Educational Loan Authority to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 8 for calendar year 2010. Twenty million dollars of the state ceiling for calendar year 2011 is allocated to the Maine Educational Loan Authority to be used in accordance with Title 10, section 363, subsection 8.

Sec. 5. Allocation to the Maine State Housing Authority. The \$50,000,000 of the state ceiling for calendar year 2010 previously allocated to the Maine State Housing Authority remains allocated to the Maine State Housing Authority to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 4 in calendar year 2010. Forty million dollars of the state ceiling for

calendar year 2011 is allocated to the Maine State Housing Authority to be used or reallocated in accordance with Title 10, section 363, subsection 4.

Sec. 6. Unallocated state ceiling. Of the state ceiling for calendar year 2010, \$78,775,000 is unallocated and must be reserved for future allocation in accordance with applicable laws. Of the state ceiling for calendar year 2011, \$118,775,000 is unallocated and must be reserved for future allocation in accordance with applicable laws.

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

Effective March 5, 2010.

CHAPTER 34

S.P. 669 - L.D. 1746

**An Act To Make Allocations
from Maine Turnpike
Authority Funds for the Maine
Turnpike Authority for the
Calendar Year Ending
December 31, 2011**

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, 2011 must be segregated, apportioned and disbursed as designated in the following schedule.

MAINE TURNPIKE AUTHORITY	2011
Administration	
Personal Services	\$1,224,286
All Other	1,836,660
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TOTAL	\$3,060,946
Accounts and Controls	
Personal Services	\$2,864,505
All Other	1,301,395
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TOTAL	\$4,165,900
Highway Maintenance	