

# 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.**

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**Augusta, Maine**  
**2010**

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.

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

Personal Services	\$4,531,967
All Other	3,373,926
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TOTAL	\$7,905,893
<b>Equipment Maintenance</b>	
Personal Services	\$1,119,432
All Other	1,904,318
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TOTAL	\$3,023,750
<b>Fare Collection</b>	
Personal Services	\$11,579,643
All Other	4,935,537
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TOTAL	\$16,515,180
<b>Public Safety and Special Services</b>	
Personal Services	\$486,450
All Other	5,441,594
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TOTAL	\$5,928,044
<b>Building Maintenance</b>	
Personal Services	\$620,605
All Other	659,881
	<hr/>
TOTAL	\$1,280,486
Subtotal of Line Items Budgeted	\$41,880,199
General Contingency - 5% of line items budgeted for 2011 (10% allowed)	2,094,009
<b>MAINE TURNPIKE AUTHORITY</b>	<hr/>
<b>TOTAL REVENUE FUNDS</b>	<b>\$43,974,208</b>

**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 2011 that are necessary for capital expenditures and reserves and to meet the requirements of any resolution authorizing bonds of the Maine Turnpike Authority during 2011, including debt service and the maintenance of reserves for debt service and reserve maintenance, is submitted.

<b>Turnpike Revenue Bond Resolution Adopted April 18, 1991; Issuance of Bonds Authorized Pursuant to the Maine Revised Statutes, Title 23, section 1968, subsections 1 and 2</b>	<b>2011</b>
Debt Service Fund	\$32,436,225
Reserve Maintenance Fund	30,000,000
General Reserve Fund, to be applied as follows:	
Capital Improvements	1,213,444

Debt Service Fund under the General Special Obligation Bond Resolution Adopted May 15, 1996; Issuance of Bonds Authorized Pursuant to the Maine Revised Stat- utes, Title 23, section 1968, subsection 2-A	2,467,813
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TOTAL	\$66,117,482

See title page for effective date.

**CHAPTER 35**

**H.P. 1065 - L.D. 1516**

**An Act To Amend the Charter  
of the Dexter Utility District**

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

**Sec. 1. P&SL 1971, c. 29, §14-A** is enacted to read:

**Sec. 14-A. Authority to disconnect water for nonpayment of sewer service.** Notwithstanding any other provision of law, in the event a user of the district's sewer system fails within a reasonable time to pay the district's rates, fees or charges for sewer service, the district may disconnect water service to the user, as long as the disconnection is accomplished in accordance with procedures established in applicable law or rules governing disconnection of utility services and terms and conditions approved by the Public Utilities Commission.

See title page for effective date.

**CHAPTER 36**

**H.P. 1075 - L.D. 1525**

**An Act To Create the  
Buckfield Water District**

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

**Sec. 1. Territory.** The inhabitants of and the territory within that part of the Town of Buckfield described as follows constitute a standard district under the name of the Buckfield Water District, referred to in this Act as "the district," for the purpose of supplying the district and the inhabitants of the district with pure water for domestic, commercial, sanitary, industrial, agricultural and municipal purposes: Buckfield Tax Map 6, Block 1, Parcel 14; Buckfield Tax

Map 6, Block 2, Parcels 1 and 2; Buckfield Tax Map 6, Block 3, Parcels 1, 3, 5, 27, 27.1, 28, 29, 30, 31, 32, 34, 34.1, 35 and 35.1; Buckfield Tax Map 6, Block 4, Parcels 1.2 and 3; Buckfield Tax Map 7, Block 4, Parcels 10, 10A, 11, 12 and 21; Buckfield Tax Map 12, Block 1, Parcels 1, 2, 2.1, 3, 3.1, 4, 4.1, 4.2, 5, 6, 7, 8, 9, 9.1, 12, 14, 15 and 17; Buckfield Tax Map 12, Block 2, Parcels 2, 5, 6, 7, 7.1, 8, 9, 9.1 and 9.2; Buckfield Tax Map 12, Block 3, Parcels 2, 3, 4, 5, 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, 6.8, 6.9, 6.10, 6.11, 6.12, 6.13 and 6.14; Buckfield Tax Map 12, Block 4, Parcels 3, 3.2, 6, 7 and 8; Buckfield Tax Map 12, Block 8, Parcels 6, 7, 8, 8A, 9, 10, 12, 14, 15, 16, 17 and 20; Buckfield Tax Map 12, Block 9, Parcels 1, 1.1, 1.2, 2, 3, 4, 5, 6, 6A, 7, 8 and 11; Buckfield Tax Map 12, Block 10, Parcels 1 and 1B; Buckfield Tax Map 13, Block 1, Parcels 1, 2, 3, 4, 6, 7, 9, 10, 11, 12, 13, 14, 15, 17, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31 and 31.1; Buckfield Tax Map 13, Block 2, Parcels 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22; Buckfield Tax Map 13, Block 3, Parcels 1, 2, 3, 4, 5, 6, 6A, 7, 8.1, 9, 10, 11, 12, 12A, 13, 14, 17, 17A, 18, 19, 20 and 21; Buckfield Tax Map 14, Block 1, Parcels 1, 2, 3, 4, 5, 6 and 7; Buckfield Tax Map 14, Block 2, Parcels 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 11.1, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31; Buckfield Tax Map 14, Block 3, Parcels 1, 2, 3, 4, 5, 6, 7, 8 and 9; as such tax maps existed on April 1, 2009.

**Sec. 2. Powers; authority; duties.** The district has all the powers and authority and is subject to all the requirements and restrictions provided in the Maine Revised Statutes, Title 35-A, chapter 64, except as otherwise provided in this Act.

**Sec. 3. Additional powers.** The district is authorized to provide service to customers in the Town of Buckfield outside the territory described in section 1 of this Act.

**Sec. 4. Power to take water.** The district is authorized to take, to hold and to convey within the Town of Buckfield and from any part of the town water from any surface water or groundwater source within the town, including but not limited to North Pond.

**Sec. 5. Number of trustees.** All of the affairs of the district are managed by a board of trustees composed of 3 members who must reside within the territory of the district and are elected in accordance with the Maine Revised Statutes, Title 35-A, section 6410. The terms of the first board are determined in accordance with Title 35-A, section 6410. Vacancies are filled in accordance with Title 35-A, section 6410.

**Sec. 6. Acquisition of property of Buckfield Village Corporation.** This section and sections 7 and 8 of this Act are contingent on the following, referred to in this Act as "the precondition": the achievement by the Buckfield Village Corporation, a