

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

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Legislative Document

No. 1313

H. P. 1080

House of Representatives, March 19, 1969

Reported by Mr. Rand from Committee on Public Utilities. Printed under  
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BERTHA W. JOHNSON, Clerk

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-NINE

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**AN ACT Adding Airport Facilities to the Revenue Producing  
Municipal Facilities Act.**

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

Whereas, the immediate development of Maine's transportation system is of concern to all of the people of the State of Maine; and

Whereas, the passage of this Act will enhance the opportunity for airport development within this State; 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. R. S., T. 30, § 1901, sub-§ 1, repealed and replaced.** Subsection 1 of section 1901 of Title 30 of the Revised Statutes, is repealed and the following enacted in place thereof:

1. **Airport.** "Airport" means any area of land or water which is used, or intended for use, for the landing and take-off of aircraft, any appurtenant areas which are used or intended for use, for airport buildings, other airport facilities, rights of way, together with all airport buildings, wharfs and facilities thereon.

**1-A. Clerk. "Clerk" means the clerk of a municipality.**

**Sec. 2. R. S., T. 30, § 1901, sub-§ 11, amended.** Subsection 11 of section 1901 of Title 30 of the Revised Statutes, as repealed and replaced by section 3 of chapter 429 of the public laws of 1967, is amended to read as follows:

**11. Revenue producing municipal facility.** "Revenue producing municipal facility" means an airport or a parking facility or a water system or a sewage disposal system.

**Sec. 3. R. S., T. 30, § 4251, sub-§ 1, repealed and replaced.** Subsection 1 of section 4251 of Title 30 of the Revised Statutes, as repealed and replaced by section 5 of chapter 429 of the public laws of 1967, is repealed and the following enacted in place thereof:

**1. Revenue producing facilities.** To acquire, construct, reconstruct, improve, extend, enlarge, equip, repair, maintain and operate any revenue producing municipal facility consisting of a water system or part thereof, a sewer system or part thereof, or airport or part thereof, within or without, or partly within and partly without, the corporate limits of the municipality or of a parking facility within the corporate limits of the municipality;

**Sec. 4. R. S., T. 30, § 4251, sub-§ 5, amended.** Subsection 5 of section 4251 of Title 30 of the Revised Statutes, as repealed and replaced by section 5 of chapter 429 of the public laws of 1967, is amended to read as follows:

**5. Pledge of revenues.** To pledge the revenues derived from any water system or part thereof, sewer system or part thereof, or airport or part thereof to the payment of such revenue or revenue refunding bonds issued with respect to such water or sewer system or part thereof, or airport or part thereof and, notwithstanding section 2151, subsection 2, paragraph D, subparagraph (1), to pledge the revenues derived from any parking facility or system to the payment of revenue or revenue refunding bonds issued with respect to any parking facility included within such system;

**Sec. 5. R. S., T. 30, § 4253, sub-§ 4, additional.** Section 4253 of Title 30 of the Revised Statutes, as repealed and replaced by section 5 of chapter 429 of the public laws of 1967, is amended by adding a new subsection 4, to read as follows:

**4. Airport rates.** In the case of an airport or part thereof, the rates, fees and charges may be based or computed upon square footage, gross receipts, landings or other basis which is reasonably related to the use of or service furnished by the revenue producing facility.

**Sec. 6. R. S., T. 30, § 4255, amended.** The first sentence of section 4255 of Title 30 of the Revised Statutes, as repealed and replaced by section 5 of chapter 429 of the public laws of 1967, is amended to read as follows:

The resolution authorizing the issuance of revenue bonds under this chapter, or any trust agreement securing such bonds, may provide that all of a sufficient amount of the revenues derived from the water system, sewer system, water and sewer system, airport or parking facility or system, including the

revenue producing municipal facility financed with revenue bonds issued under this chapter, after providing for the payment of the cost of repair, maintenance and operation and reserves therefor as may be provided in such resolution or trust agreement, shall be set aside at such regular intervals as may be provided in such resolution or trust agreement and deposited to the credit of a sinking fund for the payment of the interest on and the principal of revenue bonds issued under this chapter as the same shall become due, and the redemption price or purchase price of bonds retired by call or purchase.

**Sec. 7. R. S., T. 30, § 4256, amended.** The 2nd sentence of section 4256 of Title 30 of the Revised Statutes, as repealed and replaced by section 5 of chapter 429 of the public laws of 1967, is amended to read as follows:

The resolution authorizing the issuance of the bonds or such trust agreement may pledge the revenues to be received from the water system, sewer system, water and sewer system, **airport** or parking facility or system including the revenue producing municipal facility financed with revenue bonds issued under this chapter, but shall not convey or mortgage any revenue producing municipal facility or system including a revenue producing municipal facility.

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