

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. H-50)

HOUSE AMENDMENT " A " to S.P. 186, L.D. 531, Bill, "AN
ACT to Correct Errors and Inconsistencies in Laws of Maine."

Amend the Bill by inserting after section 175 the
following:

'Sec. 175-A. 30 MRSA §4253, sub-§5, as enacted by PL 1975,
c. 770, §170, is repealed.

Sec. 175-B. 30 MRSA §4254, first ¶ and sub-§1, as last
amended by PL 1975, c. 770, §171, are further amended to read:

Any resolution providing for the issuance of revenue bonds
for a water system or sewer system, water and sewer system and
airport or parking facility ~~or-telecommunications-system~~ under
this chapter, or the trust agreement securing such bonds may
include any or all of the following provisions, and may require
the municipal officers to adopt such resolutions or take such
other lawful action as shall be necessary to effectuate such
provisions and the municipal officers are hereby authorized to
adopt such resolutions and to take such other action:

1. Deposits. That the municipality may require the owner,
tenant or occupant of each lot or parcel of land who is obligated
to pay rates, fees or charges for the use of or for the services
furnished by any water system or sewer system, water and sewer
system and airport or parking facility ~~or-telecommunications~~
~~system~~ owned or operated by the municipality to make a reasonable
deposit with the municipality in advance to insure the payment
of such rates, fees or charges and to be subject to application
to the payment thereof if and when delinquent.

Sec. 175-C. 30 MRSA §4255, 1st sentence, as last amended by PL 1975, c. 770, §172, is further amended to read:

The resolution authorizing the issuance of revenue bonds under this chapter, or any trust agreement securing such bonds, may provide that all or a sufficient amount of the revenues derived from the water system, sewer system, water and sewer system, airport or parking facility or system, ~~or telecommunications 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. 175-D. 30 MRSA §4256, 2nd sentence, as amended by PL 1975, c. 770, §173, is further amended to read:

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 ~~or telecommunications 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.

Sec. 175-E. 30 MRSA §4262, as last amended by PL 1975, c. 770, §174, is further amended to read:

§4262. Exemption from taxation

As proper revenue producing municipal facilities as defined are essential for the health and safety of the inhabitants of the municipalities, and as the exercise of the powers conferred to effect such purposes constitute the performance of essential governmental functions, and as municipal facilities acquired or constructed under this chapter constitute public property and are used for municipal purposes, no municipality shall be required to pay any taxes or assessments upon any parking facility or system or water or sewer system ~~or-telecommunications system~~ revenue producing municipal facility, or any part thereof, whether located within or without the corporate limits of the municipality, or upon the income therefrom, and any bonds issued under this chapter, and their transfer and the income therefrom, including any profit made on the sale thereof, shall at all times be free from taxation within the State, provided that nothing contained in this section shall exempt any lessee or person in possession of a parking facility or part thereof or the property so leased or possessed from taxes or assessments payable under Title 36, section 551.'

Statement of Fact

This amendment provides for repeal of changes to Title 30 made by the previous Legislature which contained substantial changes in the law without the benefit of a public hearing.

Filed by Mr. Tierney of Lisbon Falls.

Reproduced and distributed under the direction of the Clerk of the House.

3/2/77

(Filing No. H-50)