

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE

AS PUBLIC LAWS AND CONSTITUTIONAL RESOLUTIONS

at the

**THIRD SPECIAL SESSION**

September 15, 1988 to September 16, 1988

and the

**FOURTH SPECIAL SESSION**

November 28, 1988

AND

AS PRIVATE AND SPECIAL LAWS AND RESOLVES

at the

**FIRST REGULAR SESSION**

December 3, 1986 to June 30, 1987

**FIRST SPECIAL SESSION**

October 9, 1987 to October 10, 1987

**SECOND SPECIAL SESSION**

October 21, 1987 to November 20, 1987

**SECOND REGULAR SESSION**

January 6, 1988 to May 5, 1988

**THIRD SPECIAL SESSION**

September 15, 1988 to September 16, 1988

and the

**FOURTH SPECIAL SESSION**

November 28, 1988

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

---

---

Twin City Printery  
Lewiston, Maine  
1989

---

---

**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
THIRD SPECIAL SESSION  
of the  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
1987

---

---

follows:

30-A MRSA §66, sub-§15, ¶C, as enacted by PL 1988, c. 737, §2, is amended to read:

C. Commissioner District Number 3 consists of the municipalities and unorganized territories of Deblois, Cherryfield, Steuben, Milbridge, Harrington, Addison, Jonesport, Beals, Beddington, Columbia, Columbia Falls, Centerville, Jonesboro, Roque Bluffs, Whitneyville, Marshfield and Machias and unorganized territories of Deveraux T29 MD, T24 MD, T18 MD and T19 MD. The term of office of the commissioner from this district shall expire in ~~1988~~ 1990 and every 4 years thereafter.

Effective December 16, 1988.

## CHAPTER 872

H.P. 1973 — L.D. 2671

### AN ACT to Clarify the Issuance of Securities by the Maine Court Facilities Authority.

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

Whereas, under current law, no securities may be issued by the Maine Court Facilities Authority until November 30, 1988 and then only after prior approval of the Legislature; and

Whereas, important and much-needed improvements to Maine court facilities must be financed by the issuance of securities prior to November 30, 1988 to avoid cost increases and project delays; and

Whereas, the Legislature is unable to give such approval upon adjournment and legislation is needed to provide approval when the Legislature is not in session; 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. 4 MRSA §1606, sub-§1, as amended by PL 1987, c. 816, Pt. KK, §6 and as repealed by PL 1987, c. 859, §1, is reenacted to read:

1. Resolution for issuance of securities. The Maine Court Facilities Authority may provide by resolution, at one time or from time to time, for the issuance and sale by it of securities, in its own name, for the purpose of paying the cost of any project, projects or part of any

project, or the refinancing of existing indebtedness, approved by the authority. No securities of the authority may be authorized and issued except pursuant to a resolution adopted by the vote of not less than a majority of the members of the authority. The resolution shall describe the general purpose or purposes for which the securities are to be issued and state the maximum principal amount of the securities proposed to be issued. No securities may be issued by the authority without the prior approval of the Legislature.

Sec. 2. 4 MRSA §1606, sub-§1-A, as enacted by PL 1987, c. 859, §2, is amended to read:

1-A. Resolution for issuance of securities. The Maine Court Facilities Authority may provide by resolution, at one time or from time to time, for the issuance and sale by it of securities, in its own name, for the purpose of paying the cost of any project, projects or part of any project, or the refinancing of existing indebtedness, approved by the authority. No securities of the authority may be authorized and issued except pursuant to a resolution adopted by the vote of not less than a majority of the members of the authority. The resolution shall describe the general purpose or purposes for which the securities are to be issued and state the maximum principal amount of the securities proposed to be issued. ~~No securities may be issued by the authority without the prior approval of the Legislature.~~

Sec. 3. PL 1987, c. 859, §3 is repealed.

Sec. 4. **Effective date; application.** Section 1 of this Act shall take effect and section 2 is repealed on November 30, 1988; provided that with respect to any resolution authorizing the issuance of securities adopted prior to November 30, 1988, section 2 of this Act applies until the securities authorized by the resolution are delivered.

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

Effective September 19, 1988.

## CHAPTER 873

H.P. 1974 — L.D. 2672

### AN ACT Relating to Municipal General Obligation Securities.

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

Whereas, certain general obligation securities may be issued prior to the 90-day effective date; 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. 30 MRSA §5152, sub-§9 is enacted to read:

9. Interest or dividend exemption from state taxation. Interest or dividends paid on general obligation securities issued under this section shall be exempt from taxation within the State, whether or not such income is subject to taxation under the United States Internal Revenue Code, as amended.

Sec. 2. 30-A MRSA §5772, sub-§9 is enacted to read:

9. Interest or dividend exemption from state taxation. Interest or dividends paid on general obligation securities issued under this section shall be exempt from taxation within the State, whether or not such income is subject to taxation under the United States Internal Revenue Code, as amended.

Sec. 3. Application. Section 1 of this Act is repealed effective March 1, 1989. Section 2 shall take effect March 1, 1989.

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

Effective September 19, 1988.

## CHAPTER 874

H.P. 1977 — L.D. 2675

### AN ACT to Provide for Pooling of Certain Over-Order Premiums Under the Maine Milk Pool.

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

Whereas, because escalating feed prices and other factors have contributed to a short supply of milk in the Northeast and intense competition by dealers for supplies of milk has resulted in payment of premiums by dealers; and

Whereas, in order to provide for an equitable redistribution of over-order premiums established by the Maine Milk Commission which are not attributable to the activities of an eligible marketing cooperative, and to account properly for the presence of premiums paid to Boston market producers in the face of unforeseeable changes in the price of milk in southern New England; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Con-

stitution 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. 7 MRSA §2901, sub-§§15-B and 15-C are enacted to read:

15-B. Light eggnog. "Light eggnog" means the clean, wholesome food product made from the same ingredients and prepared in the same manner as eggnog, except that light eggnog shall contain by weight not more than 3% milk fat, not less than 1% of egg yolk solids and not more than 0.5% of stabilizer. A package containing light eggnog shall bear the label upon which shall appear a statement of the grams of fat and the number of calories per serving.

15-C. Light sour cream. "Light sour cream" means sour cream which contains not more than 9% milk fat nor less than 6% milk fat; provided that, in computing the minimum milk fat content, the minimum percentage may be based on the weight remaining after subtracting the weight of any nutritive sweeteners or bulky flavoring ingredients present in the product. In no case may light sour cream contain less than 4.2% milk fat. A package containing light sour cream shall bear a label upon which shall appear a statement of the grams of fat and the number of calories per serving.

Sec. 2. 7 MRSA §3153, sub-§2, ¶E is enacted to read:

E. Notwithstanding the provisions of paragraph D, that portion of the minimum price for August 1988 and September 1988, as established by the Maine Milk Commission, which exceeds the sum of the base minimum price and the over-order premium attributed to the activities of an eligible marketing cooperative on raw milk purchased by a Maine dealer in August 1988 and September 1988 shall be pooled and redistributed on an equal basis between eligible Maine market producers and eligible Boston market producers, except that the commissioner shall credit an amount determined under subsection 5, paragraph C-1, against the redistribution to Boston market producers.

Sec. 3. 7 MRSA §3153, sub-§5, ¶C-1 is enacted to read:

C-1. With respect to the pooling of the over-order premium for August and September 1988, the commissioner shall redistribute any over-order premium paid into the Maine Milk Pool which the commissioner has determined is not attributable to the activity of an eligible marketing cooperative on an equal basis to eligible Maine market producers and eligible Boston market producers; except that, if any Maine market producer or Boston market producer receives an additional premium, the commissioner shall credit that additional premium against the redistribution to which