

MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FOURTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

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

J.S. McCarthy Company
Augusta, Maine
1989

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST REGULAR SESSION

of the

ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

II. To provide for the payment of the interest on the indebtedness created by such system;

III. To provide each year a sum equal to not less than 1% nor more than 5% of the entire indebtedness created by said sewer district, which sum shall be turned into a sinking fund and there kept to provide for the extinguishment of said indebtedness. Money set aside for the sinking fund shall be devoted to the retirement of the obligations of said sewer district, or invested in such securities as savings banks in this State are allowed to hold;

IV. If any surplus remains at the end of the year, it may be turned into the sinking fund: ; and

V. Impact fees shall be established to provide all or part of the revenues necessary for improving, enlarging or expanding the district's system, including interest accruing on indebtedness incurred for such purposes.

Sec. 2. P&SL 1985, c. 57, §13 is amended to read:

Sec. 13. Rates and other charges. All persons, firms and corporations, whether public, private or municipal, shall pay to the treasurer of the district the rates, tolls, rents, entrance charges, impact fees and other lawful charges established by the trustees for the sewer service used or available to them, which rates shall include rates for the district's readiness to serve charged against the owners of real estate, abutting on or accessible to sewers of that district, but not actually connected to those sewers, whether or not the real estate is improved. The words "other lawful charges" or "other charges" shall include, but not be limited to, interest on delinquent accounts at a rate not to exceed the highest lawful rate set by the Treasurer of State for municipal taxes.

Rates, tolls, rents ~~and~~, entrance charges and impact fees shall be uniform within the territory supplied by the district whenever the installation and maintenance of sewers or their appurtenances and the cost of service is substantially uniform; but nothing in this Act may preclude the district from establishing a higher rate, toll, rent ~~or~~, entrance charge or impact fee than the regular rates, tolls, rents ~~and~~, entrance charges or impact fees in sections where, for any reason, the cost of construction and maintenance or the cost of service exceeds the average, but these higher rates, tolls, rents ~~and~~, charges and impact fees shall be uniform throughout the sections where they apply.

The sewer rates, tolls, rents ~~and~~, entrance charges and impact fees shall be so established as to provide revenue for the following purposes:

1. To pay the current expenses for operating and maintaining the sewerage and treatment system;
2. To provide for the payment of the interest and principal on the indebtedness created by the district;

3. To provide each year a sum equal to not less than 1% nor more than 5% of the entire indebtedness created by the district, which sum shall be turned into a sinking fund and there kept to provide for the extinguishment of the indebtedness. Money set aside for the sinking fund shall be devoted to the retirement of the obligations of the sewer district or invested in such securities as savings banks in this State are allowed to hold; ~~and~~

4. If any surplus remains at the end of the year, it may be turned into the sinking fund: ; and

5. Impact fees shall be established to provide all or part of the revenues necessary for improving, enlarging or expanding the district's system, including interest accruing or indebtedness incurred for such purposes.

Prior to the adoption of a new rate schedule, the trustees shall hold a public hearing regarding the proposed rate schedule. The trustees shall publish the proposed rates and notice of the hearing not less than once in a newspaper having a general circulation in the district not less than 7 days prior to the hearing. The district shall mail to each ratepayer a notice of the public hearing and the proposed new rate at least 14 days prior to the hearing.

See title page for effective date.

CHAPTER 35

S.P. 179 - L.D. 336

An Act to Extend the Reporting Deadline of the Commission to Implement the Computerization of Criminal History Record Information

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

Whereas, the Commission to Implement the Computerization of Criminal History Record Information requires additional time to oversee the development and implementation of an effective computerized system; 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:

P&SL 1987, c. 152, §1, last sentence is amended to read:

The commission shall present its final report and recommendations, together with any recommended legislation, to the

First Regular Session of the ~~114th~~ 115th Legislature by ~~June 4, 1989~~ March 1, 1991.

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

Effective June 2, 1989.

CHAPTER 36

H.P. 470 - L.D. 635

An Act to Make Allocations for Various Funds of the Department of Environmental Protection for the Fiscal Years Ending June 30, 1990 and June 30, 1991

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of the department will become due and payable on or immediately after July 1, 1989; 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 of the Ground Water Oil Clean-up Fund. Income to the Ground Water Oil Clean-up Fund for the next 2 fiscal years, from July 1, 1989 to June 30, 1990, and from July 1, 1990 to June 30, 1991, shall be segregated, apportioned and disbursed as designated in the following schedule.

	1989-90	1990-91
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Oil and Hazardous Materials Control		
Positions	(22.0)	(22.0)
Personal Services	\$686,166	\$709,501
All Other	1,777,565	1,781,841
Capital Expenditures	118,205	116,680
TOTAL	<u>\$2,581,936</u>	<u>\$2,608,022</u>

Sec. 2. Allocation of the Maine Coastal and Inland Surface Clean-up Fund. Income to the Maine Coastal and Inland Surface Clean-up Fund for the next 2 fiscal years, from July 1, 1989 to June 30, 1990, and from

July 1, 1990 to June 30, 1991, shall be segregated, apportioned and disbursed as designated in the following schedule.

	1989-90	1990-91
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Oil and Hazardous Materials Control		
Positions	(16.0)	(16.0)
Personal Services	\$550,744	\$565,195
All Other	1,820,355	1,918,104
Capital Expenditures	159,800	123,490
TOTAL	<u>\$2,530,899</u>	<u>\$2,606,789</u>

Sec. 3. Allocation of the Maine Hazardous Waste Fund. Income to the Maine Hazardous Waste Fund for the next 2 fiscal years, from July 1, 1989 to June 30, 1990, and from July 1, 1990 to June 30, 1991, shall be segregated, apportioned and disbursed as designated in the following schedule.

	1989-90	1990-91
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Oil and Hazardous Materials Control		
Positions	(12.0)	(12.0)
Personal Services	\$375,231	\$380,335
All Other	303,420	304,492
Capital Expenditures	120,945	100,000
TOTAL	<u>\$799,596</u>	<u>\$784,827</u>

Sec. 4. Allocation of the Radioactive Waste Evaluation Fund. Income to the Radioactive Waste Evaluation Fund for the next 2 fiscal years, from July 1, 1989 to June 30, 1990, and from July 1, 1990 to June 30, 1991, shall be segregated, apportioned and disbursed as designated in the following schedule.

	1989-90	1990-91
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Technical Studies		
Positions	(3.5)	(3.5)
Personal Services	\$110,806	\$113,782
All Other	39,670	40,469
Capital Expenditures	1,450	743
TOTAL	<u>\$151,926</u>	<u>\$154,994</u>

	1989-90	1990-91
Radioactive Waste Evaluation Fund		
Personal Services	\$4,000	\$4,000
All Other	16,306	16,306
TOTAL	<u>\$20,306</u>	<u>\$20,306</u>

DEPARTMENT OF ENVIRONMENTAL PROTECTION		
TOTAL	<u>\$172,232</u>	<u>\$175,300</u>