

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

**THIRD SPECIAL SESSION**

October 1, 1992 to October 6, 1992

**FOURTH SPECIAL SESSION**

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

**FIRST REGULAR SESSION**

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 13, 1993

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

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J.S. McCarthy Company  
Augusta, Maine  
1993

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

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**1993**

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## CHAPTER 1

## S.P. 9 - L.D. 2

**An Act Relating to Compulsory Insurance Limits for Vehicles that Transport Passengers for Hire**

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

**Whereas,** changes in the motor vehicle insurance laws that were enacted in the Second Regular Session of the 115th Legislature impose inappropriately high and burdensome insurance premium costs on the taxicab industry and threaten the ability of the providers of taxicab service in the State to continue service to the communities they serve; and

**Whereas,** in Maine, taxicabs serve primarily the poor, the elderly and the physically challenged; and

**Whereas,** immediate action is necessary to prevent a curtailment or cessation of service in Maine communities; 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. PL 1991, c. 793, §13** is amended to read:

**Sec. 13. Effective date.** Sections 1 and 2, 4 to 10 and 12 take effect on January 1, 1993. The provisions of section 11 that enact the Maine Revised Statutes, Title 29, section 2708-A, subsection 1; section 2708-A, subsection 2, paragraphs A, C and D; and section 2708-A, subsections 3 to 6 take effect January 1, 1993. The provision of section 11 that enacts Title 29, section 2708-A, subsection 2, paragraph B, subparagraph (1) takes effect April 1, 1993. The provisions of section 11 that enact Title 29, section 2708-A, subsection 2, paragraph B, subparagraphs (2) and (3) take effect on the effective date of this Act.

**Sec. 2. Retroactivity.** This Act applies retroactively to April 3, 1992.

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

Effective December 9, 1992.

## CHAPTER 2

## S.P. 8 - L.D. 1

**An Act to Clarify the Tax-exempt Borrowing Authority of the University of Maine System**

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

**Whereas,** the State continues to experience economic difficulty and, as a result, control of all state expenditures remains an important priority; and

**Whereas,** immediate passage of this legislation will result in cost savings for the State; and

**Whereas,** utilities need to obtain financing immediately in order to construct facilities to meet the requirements of the federal Safe Drinking Water Act in a timely manner; and

**Whereas,** legislation enacted by the 115th Legislature to make such funds available has not resulted in such financing being made available; 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. 20-A MRSA §10952, sub-§7,** as amended by PL 1991, c. 9, Pt. E, §13, is further amended to read:

**7. Borrow money.** To borrow money pursuant to this chapter and issue evidences of indebtedness to finance the acquisition, construction, reconstruction, improvement or equipping of any one project, or more than one, or any combination of projects, or to refund evidences of indebtedness hereafter issued or to refund general obligation debt of the State ~~previously issued to finance any project or projects,~~ or to refund any such refunding evidences of indebtedness or for any one, or more than one, or all of those purposes, or any combination of those purposes, and to provide for the security and payment of those evidences of indebtedness and for the rights of the holders of them, except that any borrowing pursuant to this chapter, exclusive of borrowing to refund evidences of indebtedness, to refund general obligation debt of the State, or to fund issuance costs or necessary reserves, may not exceed in the aggregate principal amount outstanding at any time \$27,000,000, and except that no borrowing may be effected pursuant to this chapter unless the amount of the borrowing and the

project or projects are submitted to the ~~Legislative~~ Legislative Office of Fiscal and Program Review for review by the ~~Joint Standing Committee on Appropriations and Financial Affairs~~ joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs at least 60 days before closing on such borrowing for the project or projects is to be initiated;

**Sec. 2. 20-A MRSA §10953, sub-§3**, as amended by PL 1989, c. 578, §2, is further amended to read:

**3. Refund evidences of indebtedness.** To refund evidences of indebtedness issued pursuant to this chapter or to refund general obligation debt of the State ~~issued previously to finance any project or projects~~; or

**Sec. 3. 20-A MRSA §10954, sub-§2**, as amended by PL 1989, c. 578, §3, is further amended to read:

**2. Refund evidences of indebtedness.** To refund evidences of indebtedness issued and to finance the cost of any project or projects as provided in this chapter or to refund general obligation debt of the State ~~issued previously to finance any project or projects~~; or

**Sec. 4. 20-A MRSA §10959**, as amended by PL 1989, c. 578, §4, is further amended to read:

#### **§10959. Refunding indebtedness**

Pursuant to sections 10953 to 10955, the university may enter into financing transactions and issue evidences of indebtedness for the purpose of refinancing obligations or evidences of indebtedness issued under this chapter or to refund general obligation debt of the State ~~issued previously to finance any project or projects~~, including the payment of any redemption premium on the evidences of indebtedness or general obligation debt of the State and any interest accrued or to accrue to the date of redemption of those obligations, and if deemed advisable by the university for the additional purpose of construction or enabling the construction of improvements, extensions, enlargements or additions of the project or projects in connection with which the obligations to be refunded ~~shall~~ have been issued. The university's refunding authority ~~shall include~~ includes authority to borrow and issue evidences of indebtedness for the combined purpose of refunding any evidences of indebtedness issued under this chapter then outstanding or refunding general obligation debt of the State ~~issued previously to finance any project or projects~~, including the payment of any redemption premium on the evidences of indebtedness or general obligation debt of the State and any interest accrued or to accrue to the date of redemption of those obligations, and paying all or any part of the cost of acquiring or constructing or enabling the acquisition or construction of any additional project or projects or part of a project, or any improvements, extensions, enlargements or additions of any project or projects. The incurring of indebtedness for refunding

purposes and the issuance of evidences of indebtedness in connection with the indebtedness, the maturities and other details, the rights and remedies of the holders and the rights, powers, privileges, duties and obligations of the university with respect to the indebtedness ~~shall be~~ are governed by this chapter insofar as the chapter may be applicable. In the event the university refunds general obligation debt of the State not previously issued to finance any project or projects, the Treasurer of State is authorized to discharge the university from an amount of its obligations to reimburse the State for debt service on general obligation debt of the State issued to finance any project or projects that is equivalent to the general obligation debt of the State actually being refunded by the issuance of bonds under this chapter. Equivalent amounts must be determined on the basis of the discounted present value of all such obligations.

**Sec. 5. 30-A MRSA §5903, sub-§7-A**, as enacted by PL 1989, c. 48, §§15 and 31, is repealed and the following enacted in its place:

#### **7-A. Municipality.** "Municipality" means:

A. Any city, town, special district, county, plantation or municipal village corporation within the State; or

B. For the purpose of section 5953, subsection 1, paragraph D only, any water utility as defined in subsection 13.

**Sec. 6. 30-A MRSA §5953, sub-§1, ¶D**, as amended by PL 1991, c. 775, §2, is further amended to read:

D. Borrow money and make the borrowing proceeds available to the municipality ~~or water utility~~ at terms agreed upon by the bank and the municipality.

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

Effective December 9, 1992.

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## CHAPTER 3

### S.P. 47 - L.D. 69

#### **An Act to Amend the Dislocated Worker Benefits Program**

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

**Whereas**, there are declining reserves in the State's unemployment compensation fund; and