

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 electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SIXTEENTH LEGISLATURE

SECOND REGULAR SESSION

January 5, 1994 to April 14, 1994

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 14, 1994

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
1993

Whereas, the designation of new state tax increment financing districts will cease on June 30, 1994 unless extended prior to that 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. 10 MRSA §1041, sub-§4, as amended by PL 1985, c. 593, §1, is further amended to read:

4. Refunding securities. Issue revenue refunding obligation securities as provided to refund any outstanding revenue obligation securities issued under this subchapter or under subchapter IV or under previous chapter 104 or to refund any obligations or securities of any municipality;

Sec. 2. 10 MRSA §1048, as amended by PL 1985, c. 593, §2, is further amended to read:

§1048. Revenue refunding securities

The authority may provide for the issuance of revenue refunding securities of the authority to refund any outstanding revenue obligation securities issued under this subchapter ~~or under~~ subchapter IV or under previous chapter 104 or to refund any obligations or securities of any municipality, including the payment of any redemption premiums and any interest accrued or to accrue to the date of redemption, and, if ~~deemed~~ considered advisable by the authority, to construct or enable the construction of improvements, extensions, enlargements or additions of the original project. The authority may provide for the issuance of revenue obligation securities of the authority for the combined purpose of refunding any outstanding revenue obligation securities or revenue refunding securities issued under this subchapter ~~or under~~ subchapter IV or under previous chapter 104 or to refund any obligations or securities of any municipality, including the payment of redemption premiums and interest accrued or to accrue and paying all or any part of the cost of acquiring or constructing or enabling the acquisition or construction of any additional project or part or any improvements, extensions, enlargements or additions of any project. The issuance of the securities, the maturities and other details, the rights and remedies of the holders and the rights, powers, privileges, duties and obligations of the authority ~~shall be~~ are governed by the provisions of this subchapter insofar as they are applicable.

Notwithstanding the foregoing, the authority may approve or disapprove the issuance of revenue refunding securities without any notice of the issuance being given by the authority, by the applicant or otherwise, under section 1043, subsection 1; section 1044, subsection 1; or otherwise, and without having to hold any public hearing or otherwise fulfill the requirements of section 1043, if the authority determines that no expansion of the original project is involved and there will be no increase in the original amount of the revenue obligation securities issued for the project. Once the authority has made the determinations, it may approve the issuance of revenue refunding securities by issuing an amended certificate of approval.

If, in connection with any outstanding revenue obligation securities issued under previous chapter 104, any predecessor to the authority financed or guaranteed more than 90% of the total value of a project, the authority, in connection with issuing its revenue refunding securities, may continue to finance or guarantee the corresponding percentage of the total value of the project financed or guaranteed by its predecessor, notwithstanding section 1026-D, subsection 2, paragraph B.

Sec. 3. 30-A MRSA §5254-A, sub-§7, as amended by PL 1991, c. 856, §5, is further amended to read:

7. Repeal of state tax increment financing districts. The designation of new state tax increment financing districts ceases June 30, ~~1994~~ 1996, subject to review by the joint standing committees of the Legislature having jurisdiction over economic development and taxation matters. Designation of new state tax increment financing districts may only be resumed by act of the Legislature.

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

Effective April 20, 1994.

CHAPTER 742

H.P. 1479 - L.D. 2005

**An Act to Authorize Applied
Technology Regions to Borrow Funds
for Necessary Repairs to
Existing Buildings**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 20-A MRSA §8465, first ¶, as amended by PL 1991, c. 518, §30, is further amended to read:

A region may issue bonds and notes for school construction purposes. For purposes of this section, school construction purposes include minor capital costs relating to maintenance of plant. The cooperative board shall decide whether the issuance of bonds or notes by the region for school construction purposes is necessary. The cooperative board shall administer the process of determining whether the issuance of bonds or notes is authorized, and, if so, it shall issue the bonds or notes and administer the proceeds of, and the payment of principal of and interest on, those bonds or notes after issuance. A region may issue bonds and notes for school construction purposes only under the following provisions.

See title page for effective date.

CHAPTER 743

H.P. 1484 - L.D. 2009

An Act Concerning Plastic Holding Devices

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 7 MRSA §18, sub-§2-B is enacted to read:

2-B. Vending machines; recycling connectors. Distributors of products connected by plastic holding devices shall ensure that any plastic holding devices removed from those products for the purpose of loading the products into a vending machine are collected and are either recycled by the distributor or delivered by the distributor to a person engaged in recycling plastics.

Sec. 2. 7 MRSA §18, sub-§3, as enacted by PL 1993, c. 341, §2, is amended to read:

3. Repeal. This section is repealed 90 days after the adjournment of the Second Regular Session of the ~~116th~~ 117th Legislature.

Sec. 3. 7 MRSA §18-A, sub-§4, as enacted by PL 1993, c. 341, §3, is amended to read:

4. Effective date. This section takes effect 90 days after the adjournment of the Second Regular Session of the ~~116th~~ 117th Legislature.

Sec. 4. Report. By February 1, 1996, persons who distribute in the State plastic holding devices or

products that are connected by plastic holding devices shall report to the Maine Waste Management Agency the number of plastic holding devices distributed by those persons in the State between the effective date of this Act and December 31, 1995. That report must also include the number of those plastic holding devices that was collected and recycled after removal from products sold in vending machines. By March 1, 1996, the Maine Waste Management Agency shall analyze that data and submit a report to the joint standing committee of the Legislature having jurisdiction over energy and natural resource matters on the total number of plastic holding devices distributed in the State between the effective date of this Act and December 31, 1995, the percent of that total that was collected and recycled after removal from products sold in vending machines and the agency's estimate of the percent of that total that was recycled through voluntary programs, the percent that was reused and the percent that was distributed but was not otherwise reported as collected or recycled. In preparing its report, the agency shall consult with interested parties, including the Maine Grocers Association and the Maine Municipal Association.

Sec. 5. Committee legislation authorized.

The joint standing committee of the Legislature having jurisdiction over energy and natural resource matters may report out legislation to the Second Regular Session of the 117th Legislature on any matter pertaining to plastic holding devices.

See title page for effective date.

CHAPTER 744

H.P. 828 - L.D. 1114

An Act to Amend the Laws Governing the Training and Certification of Law Enforcement Officers

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 25 MRSA §2802, as amended by PL 1985, c. 194, is further amended to read: