

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.

J.S. McCarthy Company
Augusta, Maine
1993

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST REGULAR SESSION

of the

ONE HUNDRED AND SIXTEENTH LEGISLATURE

1993

CHAPTER 24

H.P. 988 - L.D. 1319

**An Act Related to Conferring Degrees by
Thomas College**

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

Whereas, authority of this Legislature is required for any institution of higher education to confer academic, educational, literary or professional degrees upon recommendation of the State Board of Education; and

Whereas, Thomas College requests approval to grant the additional degrees of Bachelor of Science and Master of Science; and

Whereas, this change will more accurately identify the nature of the current curricula and does not reflect a change in the purpose or content of the current programs; and

Whereas, it is necessary to permit these additional degree designations in order to allow 1993 graduates to have the proper degree designations on their diplomas; 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. P&SL 1963, c. 72, §1 is amended to read:

Sec. 1. Degrees. In addition to the rights, privileges and powers granted to Thomas College, by the Revised Statutes of 1954, chapter 54 and by private and special laws of 1959, chapter 117, ~~said~~ Thomas College, by appropriate action of its trustees, may confer upon all who ~~shall~~ satisfactorily complete such courses of study as ~~said~~ the trustees may prescribe, within the scope customarily established by colleges offering a 4-year curriculum, the academic ~~degrees~~ degree of Bachelor of Science ~~in Business Education and Bachelor of Science in Business Administration~~; and such honorary degrees as are usually conferred by like institutions of higher learning.

Sec. 2. P&SL 1973, c. 203 is repealed.

Sec. 3. P&SL 1975, c. 134, §1 is amended to read:

Sec. 1. Degrees. In addition to the rights, privileges and powers granted to Thomas College, by the Revised Statutes of 1954, chapter 54 and by the private and special laws of 1959, chapter 117, and by the private and special laws of 1963, chapter 72, and by the private and special laws of 1969, chapter 61, and by the private and special laws of 1973, chapter 203, ~~said~~ Thomas College, by appropriate action of its trustees, may confer upon all who ~~shall~~ satisfactorily complete such courses of study as ~~those~~ the trustees may prescribe, within the scope customarily established by colleges offering a graduate curriculum, the degree of Master of Science in Business Degree.

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

Effective May 27, 1993

CHAPTER 25

S.P. 138 - L.D. 429

**An Act to Provide for the 1993 and 1994
Allocations of the State Ceiling on Private
Activity Bonds**

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

Whereas, the Maine Revised Statutes, Title 10, section 363 and Private and Special Laws 1991, chapter 78 make a partial allocation of the state ceiling on private activity bonds to some issuers for calendar year 1993, but leave a portion of the state ceiling unallocated and do not provide sufficient allocations for certain types of private activity bonds that may require an allocation prior to the effective date of this Act if this Act is not enacted on an emergency basis; and

Whereas, if these bond issues must be delayed due to lack of available state ceiling, the rates and terms under which these bonds may be issued may be adversely affected, resulting in increased costs to beneficiaries or even unavailability of financing for certain projects; 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 to the Treasurer of State. Ten million dollars of the state ceiling for calendar year

1993 previously allocated to the Treasurer of State remains allocated to the Treasurer of State. Ten million dollars of the state ceiling for calendar year 1994 is allocated to the Treasurer of State to be used in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 5.

Sec. 2. Allocation to the Finance Authority of Maine. The \$25,000,000 in state ceiling for calendar year 1993 previously allocated to the Finance Authority of Maine, plus an additional \$15,000,000, is allocated to the Finance Authority of Maine to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 6. Twenty-five million dollars of the state ceiling for calendar year 1994 is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 6.

Sec. 3. Allocation to the Maine Municipal Bond Bank. The \$10,000,000 of the state ceiling for calendar year 1993 previously allocated to the Maine Municipal Bond Bank remains allocated to the Maine Municipal Bond Bank to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 7 for calendar year 1993. Ten million dollars of the state ceiling for calendar year 1994 is allocated to the Maine Municipal Bond Bank to be used or reallocated in accordance with Title 10, section 363, subsection 7.

Sec. 4. Allocation to the Maine Educational Loan Authority. Fifteen million dollars of the state ceiling for calendar year 1993 is allocated to the Maine Educational Loan Authority for calendar year 1993. Ten million dollars of the state ceiling for calendar year 1994 is allocated to the Maine Educational Loan Authority.

Sec. 5. Allocation to the Maine State Housing Authority. The \$25,000,000 of the state ceiling for calendar year 1993 previously allocated to the Maine State Housing Authority, plus an additional \$25,000,000, is allocated to the Maine State Housing Authority to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 4 in calendar year 1993. Twenty-five million dollars of the state ceiling for the calendar year 1994 is allocated to the Maine State Housing Authority for the same uses.

Sec. 6. Allocation to the Maine Educational Loan Marketing Corporation. The \$25,000,000 of the state ceiling for calendar year 1993 previously allocated to the Maine Educational Loan Marketing Corporation remains allocated to the Maine Educational Loan Marketing Corporation to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 8 in calendar year 1993. Twenty-five million dollars of the state ceiling for the calendar year 1994 is allocated to the Maine Educational Loan Marketing Corporation to be used or reallocated in accordance with Title 10, section 363, subsection 8.

Sec. 7. Unallocated state ceiling. Forty-five million dollars of the state ceiling for calendar year 1994 is unallocated and must be reserved for future allocation in accordance with applicable laws.

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

Effective May 27, 1993.

CHAPTER 26

S.P. 311 - L.D. 944

An Act to Amend the Composition of the Port Authority for the Town of Kittery

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

Sec. 1. P&SL 1961, c. 163, §1, as amended by P&SL 1963, c. 97, §2, is further amended to read:

Sec. 1. Authority established. ~~There shall be a~~ The Town of Kittery Port Authority is established, consisting of and governed by a board of 7 members, 6 of whom ~~shall be~~ are appointed by the ~~selectmen town council~~ selectmen town council of the Town of Kittery. At least 3 of ~~said the~~ the appointive members ~~shall~~ must be permanent residents of the Town of Kittery, and ~~shall the~~ the members serve for a term of 5 years, providing that of the first appointment ~~hereunder,~~ 2 shall be are appointed for a term of one year, one for a term of 2 years, one for a term of 3 years, one for a term of 4 years and one for a term of 5 years. ~~Said~~ The members ~~shall~~ serve until their successors are appointed and qualified. Any vacancy occurring in the membership of the appointive members ~~shall be~~ is filled by the ~~selectmen town council~~ selectmen town council for the unexpired term. In addition to the 6 appointive members, ~~the chairman a member of the Town Planning Board by virtue of his office designated by the chair of the Town Planning Board shall be~~ is a member of the port authority, ~~if such a board exists in the Town of Kittery. Otherwise, the 7th member shall be appointed by the board of selectmen; the tenure of such appointed member to be terminated upon the establishment and occupancy of the office of chairman of the Town Planning Board serving for a term of 5 years or until membership on the planning board terminates, whichever occurs first.~~ The board shall elect one of its members as ~~a chairman chair,~~ a vice-chairman vice-chair and one as secretary. The members of the board ~~shall receive no~~ are not entitled to compensation for their services; but their reasonable expenses incurred in the performance of their duties ~~shall~~ must be paid by the Town of Kittery. The board ~~shall have~~ has the right to adopt and alter a common seal ~~and to alter same;~~ and to establish bylaws and regulations for the management of its affairs within the meaning of this au-