

# 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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**PRIVATE AND SPECIAL 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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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.

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## 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-

thority, the laws of the State of Maine and the ordinances of the Town of Kittery.

See title page for effective date.

## CHAPTER 27

### S.P. 359 - L.D. 1073

#### An Act to Create a Student Seat on the Board of Trustees of the Maine Maritime Academy

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

**Sec. 1. P&SL 1941, c. 37, §1, 2nd ¶,** as amended by PL 1975, c. 771, §428, is further amended to read:

The affairs of the school ~~shall be~~ are controlled by a board of ~~12~~ 13 trustees, as ~~heretofore~~ appointed, ~~all~~ 11 of whom are residents of the State of Maine, who, together with their successors, ~~shall be~~ are appointed by the Governor, subject to review by the Joint Standing Committee on Education and to confirmation by the Legislature. All trustees appointed after the effective date of this Act ~~shall~~ October 7, 1967 serve for terms of 5 years and until their successors are duly appointed and qualified. ~~Any~~ A vacancy on the board ~~shall~~ must be filled by appointment by the Governor; subject to review by the Joint Standing Committee on Education and to confirmation by the Legislature; for the remainder of the unexpired term, but the majority of the board shall carry on business during the existence of ~~any~~ a vacancy on the board. A student trustee, who must be a member of the student body at the time of appointment and a permanent resident of the State, must be appointed. To be eligible for appointment as a student member, a student must be enrolled for a minimum of 12 credit hours per semester. The student member is a full voting member of the board of trustees and serves for a one-year term until a successor is qualified. By January 1st of every year, the president of the academy shall solicit a list of 3 eligible students from the student government of the academy. The Governor shall nominate a student trustee from the list of students within 30 days of receiving the list. The nomination is subject to review by the Joint Standing Committee on Education and to confirmation by the Legislature.

See title page for effective date.

## CHAPTER 28

### S.P. 263 - L.D. 801

#### An Act to Amend the Charter of the Lewiston-Auburn Water Pollution Control Authority

**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. P&SL 1967, c. 92, §6** is amended to read:

**Sec. 6. Inspection, rules and regulations.** The authority shall prevent, ~~insofar~~ as much as practicable, the discharge into the sewers of substances which might damage the sewage treatment facilities or interfere with their maintenance and operation, pass through to the receiving waters, or endanger the health and safety of any authority employee. ~~Its~~ The authority's officers and agents ~~shall~~ have free access to all premises served by the sewage treatment facilities at reasonable times in order to inspect the sewers, drains, sewage pumping stations, tanks or treatment works, and determine the amount and character of sewage, drainage or other wastes flowing therefrom from the sewers, drains, sewage pumping stations, tanks or treatment works and whether such sewage, drainage or other wastes are do, or are likely to, damage or impair the sewage treatment facilities or, interfere with their maintenance and operation, pass through to the receiving waters or endanger the health and safety of any authority employee.

The authority may, for the proper operation of ~~its~~ the sewage treatment facilities, issue administrative orders, rules and regulations which shall be are binding on the Auburn Sewerage District and the City of Lewiston and the inhabitants of each, as to the quantity and character of any sewage, drainage or other waste distribution into any sewer connected with ~~said~~ the plant. These orders, rules and regulations may incorporate industrial pretreatment requirements including, without limitation, reporting, monitoring and other requirements imposed on the authority by federal or state law or regulations or requirements adopted by the authority, and the authority may require industrial pretreatment of wastes discharged into the sewage treatment facilities or into any system connecting with the sewage treatment facilities.

**Sec. 2. P&SL 1967, c. 92, §7-A** is enacted to read:

**Sec. 7-A. Permits.** The authority may, through its rules and regulations, issue permits or other control mechanisms to individual users of the sewage treatment facilities, for the purposes of controlling the amount and character of the wastes discharged into the sewage treatment plant, and for other requirements imposed on the authority by federal or state law, rules or regulations.