

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 1994 to June 30, 1995

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 29, 1995

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
1995

within existing state funds for purchased social services.

See title page for effective date.

CHAPTER 19

S.P. 424 - L.D. 1147

An Act to Increase Capitalization of the Seal Harbor Water Company

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

Whereas, in order for the Seal Harbor Water Company to furnish the services required, the following legislation is vitally necessary; and

Whereas, the services required should be available in 1995; 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 1893, c. 600, §1 is amended to read:

Sec. 1. Corporators; corporate name; purpose. L. M. Lynam, R. E. Campbell and R. L. Grindle, and such persons as they may associate with themselves in the enterprise, and their successors, are hereby incorporated into a corporation by the name of the Seal Harbor Water ~~Supply~~ Company, for the purpose of supplying the village of Seal Harbor and its vicinity, in the town of Mount Desert, in Hancock county, Maine, with pure water for domestic, sanitary and municipal purposes, and also for the extinguishment of fires.

Sec. 2. P&SL 1893, c. 600, §6, as amended by P&SL 1957, c. 66, §1, is further amended to read:

Sec. 6. May issue bonds and mortgage property. Said company may issue its bonds for the construction of its works, of any and all kinds, upon such rates and time as it may deem expedient, not exceeding the sum of ~~\$300,000~~ \$3,000,000, and secure the same by mortgage of the franchises and property of said company.

Sec. 3. P&SL 1893, c. 600, §7, as amended by P&SL 1957, c. 66, §2, is further amended to read:

Sec. 7. May hold real and personal estate. Said company, for all its purposes, may hold real and personal estate necessary and convenient therefor, not exceeding ~~\$300,000~~ \$3,000,000.

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

Effective May 25, 1995.

CHAPTER 20

H.P. 629 - L.D. 854

An Act to Amend the Charter of the Searsport Water District

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

Whereas, certain provisions of the charter of the Searsport Water District are inadequate for the district to carry out its functions, including supplying the customers served by the district with safe and clean water; and

Whereas, undisputed access to groundwater lying principally within the jurisdiction of the Searsport Water District is the only impediment to providing its customers with safe and clean water; and

Whereas, the charter of the Searsport Water District may not give the district the right to draw groundwater that may lie, in part, within the Town of Prospect; and

Whereas, the Searsport Water District can draw groundwater from an existing well without affecting the existing users of groundwater within the Town of Prospect or, if it ever does so, the district has the capacity to provide these users with water; 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 1947, c. 75, §2, as amended by P&SL 1975, c. 61, §1, is further amended to read:

Sec. 2. Source of supply. For effecting and carrying out the purposes of its incorporation, the ~~said~~ district is ~~hereby~~ authorized to take, hold, divert, use and distribute water from any surface or underground

brook, stream, spring, vein of water or other water sources in the Towns of Searsport and Stockton Springs, or from Boyd's Pond, also known as Half Moon Pond, located in the Towns of Searsport and Prospect or from the groundwater in an aquifer located within the Towns of Stockton Springs and Prospect that is drawn from the district's existing production well in the Town of Prospect.

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

Effective May 25, 1995.

CHAPTER 21

H.P. 856 - L.D. 1187

An Act to Allocate the State Ceiling Governing the Issue of 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 Law 1994, chapter 77 make a partial allocation of the state ceiling on private activity bonds to some issuers for calendar year 1995 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 not enacted on an emergency basis; and

Whereas, if these bond issues are delayed due to lack of available state ceiling, the rates and terms under which these bonds are 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 1995 previously allocated to the Treasurer of State remains allocated to the Treasurer of State. Ten million dollars of the state ceiling for calendar year 1996 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 of the state ceiling for calendar year 1995 previously allocated to the Finance Authority of Maine, plus an additional \$5,000,000, 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 1996 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 1995 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 1995. Ten million dollars of the state ceiling for calendar year 1996 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. The \$10,000,000 of the state ceiling for calendar year 1995 is no longer allocated to the Maine Educational Loan Authority for calendar year 1995. Ten million dollars of the state ceiling for calendar year 1996 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 1995 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 1995. Thirty-five million dollars of the state ceiling for calendar year 1996 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 1995 previously allocated to the Maine Educational Loan Marketing Corporation, plus an additional \$25,000,000, is 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 1995. Twenty-five million dollars of the state ceiling for the calendar year 1996 is allocated to the Maine Educational Loan Marketing Corporation to be used or