

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 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

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

reallocated in accordance with Title 10, section 363, subsection 8.

Sec. 7. Unallocated state ceiling. Thirty-five million dollars of the state ceiling for calendar year 1996 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 30, 1995.

CHAPTER 22

S.P. 504 - L.D. 1363

An Act to Amend the Maine Turnpike Authority's Budget for Calendar Year 1995

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

Whereas, the latest issue of bonds of the Maine Turnpike Authority was issued after the adjournment of the 116th Legislature and will require payments from turnpike revenues for interest in excess of the amounts that were budgeted; and

Whereas, the timely payment of such amounts is necessary to preserve the good standing of the authority's bonds; 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 1993, c. 39, §1, under the caption "**MAINE TURNPIKE AUTHORITY**" in that part relating to "**Debt Service Fund**" is amended by repealing all of the 2nd line and enacting in its place the following:

<u>All Other</u>	<u>\$6,844,111</u>
------------------	--------------------

Sec. 2. P&SL 1993, c. 39, §1, under the caption "**MAINE TURNPIKE AUTHORITY**," is amended by repealing all of the last line and enacting in its place the following:

<u>TOTAL</u>	<u>\$37,573,023</u>
--------------	---------------------

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

Effective May 30, 1995.

CHAPTER 23

H.P. 311 - L.D. 415

An Act to Amend the Charter of the Bangor Water District

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.

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

Whereas, amendments to the Bangor Water District Charter are immediately required in order to implement a settlement of claims between the Bangor Water District and the Town of Otis; 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 1957, c. 39, §2 is amended to read:

Sec. 2. Source of supply. The ~~said~~ district, for the purposes of its incorporation, is ~~hereby~~ authorized and empowered to purchase, take, hold, divert, use and distribute water from Floods pond, Burnt pond, Little Burnt pond, ~~Spectacle pond, Beech Hill pond,~~ Snowshoe pond, and Fitts pond in the counties of Penobscot and Hancock, ~~as the case may be, or any of them.~~ Until such time as a water supply may be available from one or more of ~~the~~ these ponds ~~heretofore named,~~ the District district is authorized to take, hold, divert, use and distribute water from the Penobscot River.

Sec. 2. P&SL 1957, c. 39, §9 is amended to read: