

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

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>
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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>
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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:

Sec. 9. Property tax exempt. The property of ~~said the~~ district, ~~wherever located~~ within its territorial limits, shall be is exempt from taxation. Outside its territorial limits, the following property of the district is tax exempt: all pipes, fixtures, hydrants, conduits, gatehouses, treatment facilities, pumping stations, reservoirs and dams of the district.

Sec. 3. P&SL 1963, c. 98, §3 is repealed.

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

Effective May 31, 1995.

CHAPTER 24

S.P. 352 - L.D. 980

**An Act to Amend the Charter of the
Somerset Woods Trustees to
Eliminate the Cap on the
Value of Holdings**

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

Sec. 1. P&SL 1927, c. 109, §2 is amended to read:

Sec. 2. Authority to hold property; limit. Said corporation may acquire and hold by gift, grant, devise or purchase, real estate, such as it may deem worthy of preservation for the enjoyment of the public directly or indirectly, ~~but not exceeding two hundred thousand dollars in value,~~ with the right to sell and convey any part of said real estate, if in the changing conditions it seems advisable to sell any part thereof and hold by gift, grant, devise or purchase, such other property, both real and personal, as may be necessary or proper to support or promote the objects of the corporation, ~~but not exceeding in the aggregate the further amount of two hundred thousand dollars.~~

See title page for effective date.

CHAPTER 25

S.P. 579 - L.D. 1556

**An Act to Extend the Workers'
Compensation Deficit
Evaluation Proceeding**

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

Whereas, the Superintendent of Insurance is required to determine, by June 1st of each year, the incurred deficit of the Maine Workers' Compensation Residual Market Pool and to establish the level of premium surcharges on employers and assessments on pool member insurers for the repayment of that deficit; and

Whereas, the Governor has appointed a committee to make recommendations concerning replacement of the present system for funding that deficit; and

Whereas, the Legislature may take action that will cause substantial changes to the Maine Insurance Code that will have a direct and immediate effect on the appropriate amounts for the surcharges and assessments, but these effects can not be taken into account under the current applicable law in the pending deficit evaluation proceeding; 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. Extension of time. Notwithstanding the required reporting date of June 1st, as specified in the Maine Revised Statutes, Title 24-A, section 2386-A, first paragraph, the Superintendent of Insurance is not required to evaluate the incurred deficit of the Maine Workers' Compensation Residual Market Pool and to establish the level of premium surcharges on employers and assessments on pool member insurers as required by section 2386-A until June 19, 1995. In making the determination, the superintendent shall take into consideration the effect of any relevant changes in the workers' compensation residual market mechanism that may result from changes to Title 24-A as enacted by the First Regular Session of the 117th Legislature or a subsequent special session. This extension of time applies only to that report due on June 1, 1995.

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

Effective June 1, 1995.
