

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 SPECIAL SESSION
November 28, 1995 to December 1, 1995

SECOND REGULAR SESSION
January 3, 1996 to April 4, 1996

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 4, 1996

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

Sec. 2. Attribution of costs. The expenses identified in section 1 of this Act are attributed as follows.

	1996-97
General Fund	\$4,700,000
Non-General Fund	1,872,831
Participating Local District and Other	749,132
TOTAL	\$7,321,963

Sec. 3. Transfers of allocations; year-end balances. Transfers of allocations and carry forwards of unexpended balances must be carried out in accordance with the Maine Revised Statutes, Title 5, section 17103, subsection 13.

Sec. 4. Collective bargaining agreement approval. As required by the Maine Revised Statutes, Title 5, section 17103, subsection 14, collective bargaining agreements for fiscal year 1995-96 and fiscal year 1996-97 between the Maine State Retirement System and the Maine State Employees Association for the retirement system's administrative service, professional technical and supervisory bargaining units are approved.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect July 1, 1996.

Effective July 1, 1996.

CHAPTER 59

H.P. 1176 - L.D. 1608

An Act Creating a Process for Municipalities to Withdraw from the Cobbossee Watershed District

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

Sec. 1. P&SL 1971, c. 95, sub-§§16 and 17 are enacted to read:

Sec. 16. Procedure for municipal withdrawal from district. The voters of a municipality may, in accordance with the procedures of this section and the secret ballot referendum or initiative provisions of the Maine Revised Statutes, Title 30-A, section 2528, elect to withdraw from the district.

1. The municipal officers of the municipality considering withdrawal must notify the executive director of the district or chair of the board of trustees,

in writing, at least 45 days before the date of the referendum vote. Timely notice must also be provided in the same manner of the time, date and place of the public hearing to be provided pursuant to Title 30-A, section 2528, subsection 5.

2. The municipal officers shall cause the question to be placed on the ballot in the following form: "Shall the voters of the (town or city) of _____ elect to withdraw from the Cobbossee Watershed District, with the withdrawal becoming effective at the conclusion of the district's current fiscal year?" The voters shall indicate by a cross or a check mark placed against the word "Yes" or "No" their opinion of the same.

3. If a majority of the registered voters casting a ballot on the withdrawal question elect to withdraw from the district, the withdrawal becomes effective at the conclusion of the district's fiscal year, but only if the total number of votes cast for and against withdrawal equal or exceed 15% of the total vote for all candidates for Governor cast in that municipality at the immediately preceding gubernatorial election.

4. If a majority of the registered voters casting a ballot on the withdrawal question do not elect to withdraw from the district, or if the total number of votes cast for and against the question is less than 15% of the total vote for all candidates for Governor cast by voters in that municipality at the immediately preceding gubernatorial election, the withdrawal process established by this section is not available to the municipality for a period of 2 years from the date of the unsuccessful withdrawal vote.

Sec. 17. Distribution of liabilities upon withdrawal. The district shall develop a process for equitably distributing the district's financial liabilities to a municipality that elects to withdraw from the district in accordance with section 16. The process must be developed not later than January 1, 1997.

See title page for effective date.

CHAPTER 60

H.P. 1201 - L.D. 1651

An Act Concerning the Seasonal Sale of Reformulated Gasoline

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

Sec. 1. Report. The Commissioner of Environmental Protection shall develop recommendations regarding the seasonal sale and geographic distribution of reformulated gasoline. In developing these recommendations, the commissioner shall

consult with members of the joint standing committee of the Legislature having jurisdiction over natural resource matters, the United States Environmental Protection Agency, members of the federal Ozone Transport Commission and similar professional and technical organizations and representatives of the oil industry and appropriate interested parties, in the consideration of the seasonal sale and geographic distribution of reformulated gasoline.

The commissioner shall submit a report to the joint standing committee of the Legislature having jurisdiction over natural resource matters by February 1, 1997 describing the commissioner's findings and proposing any required legislation.

See title page for effective date.

CHAPTER 61

H.P. 1317 - L.D. 1801

An Act to Provide for the 1996 and 1997 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, 1995, chapter 21 make a partial allocation of the state ceiling on private activity bonds to some issuers for calendar year 1996, 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 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. The \$10,000,000 of the state ceiling for calendar year 1996 previously allocated to the

Treasurer of State is no longer allocated to the Treasurer of State. Ten million dollars of the state ceiling for calendar year 1997 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 1996 previously allocated to the Finance Authority of Maine, plus an additional \$35,000,000, 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 for calendar year 1996. Twenty-five million dollars of the state ceiling for calendar year 1997 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 1996 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 1996. Ten million dollars of the state ceiling for calendar year 1997 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 1996 previously allocated to the Maine Educational Loan Authority, plus an additional \$15,000,000, is allocated to the Maine Educational Loan Authority for calendar year 1996. No portion of the state ceiling for calendar year 1997 is allocated to the Maine Educational Loan Authority.

Sec. 5. Allocation to the Maine State Housing Authority. The \$35,000,000 of the state ceiling for calendar year 1996 previously allocated to the Maine State Housing Authority, plus an additional \$10,000,000, 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 1996. Forty-five million dollars of the state ceiling for calendar year 1997 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 1996 previously allocated to the Maine Educational Loan Marketing Corporation is reduced to \$10,000,000 in allocation to the Maine Educational Loan Marketing