

MAINE STATE LEGISLATURE

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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

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

Corporation to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 8 in calendar year 1996. Twenty-five million dollars of the state ceiling for the calendar year 1997 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 1997 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 March 25, 1996.

CHAPTER 62

H.P. 1181 - L.D. 1620

An Act to Amend the Charter of the East Boothbay Water District

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

Whereas, the East Boothbay Water District needs to upgrade the main power panel, the controls and a 3-phase power line; and

Whereas, the present borrowing capacity of the district is not large enough to finance the project; and

Whereas, it is essential that the work be completed as soon as possible in order to provide water service to the inhabitants of the district and to protect the present expenditures; 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 1959, c. 132, §1, as amended by P&SL 1961, c. 37, §1, is further amended to read:

Sec. 1. Territorial limits; name; purposes. The territory comprising that part of the Town of Boothbay bounded and described as follows, to-wit: Commencing on the boundary line between Boothbay and Boothbay Harbor at a distance westerly along said line of 2,000 feet from the center line of the Beath

Road, thence continuing in a northerly direction to the intersection of the Beath Road with the road passing by the Country Club, which intersection is known as Houlton's Corner, thence continuing further in a northerly direction to the intersection of the River Road and Route 27, thence continuing in a northeasterly direction along the center line of the River Road to the north line of the Town of Boothbay, thence continuing in an easterly direction along the north line of the Town of Boothbay to the boundary line between Boothbay and Bristol in a northeasterly direction along the center line of Butler Road to the intersection of Butler Road with Pleasant Cove Road and Pension Ridge Road, thence continuing in a northerly direction along the center line of Pension Ridge Road to the intersection of Pension Ridge Road with Ambleside Road, thence continuing in a northeasterly direction along the center line of Ambleside Road to the end of Ambleside Road, thence continuing in a straight line further in a northeasterly direction through Pleasant Cove to the southwest point in the angle of the boundary line between Boothbay and Bristol at the end of Pleasant Cove, thence continuing in a generally southerly, westerly, northerly and westerly direction along the boundary line of Boothbay and Bristol and Boothbay and Boothbay Harbor to the point of beginning, and being all of the southeast portion of Boothbay, including Linekin Neck and the village of East Boothbay and the inhabitants of said towns within that area, are hereby created a body politic and corporate under the name of "East Boothbay Water District" for the purposes of supplying inhabitants and others in the district, said towns and the inhabitants of Boothbay Harbor located on both sides of Route 96 who live easterly of the cemetery and within 500 feet of said Route 96 with pure water for domestic, sanitary, commercial, industrial, agricultural and municipal purposes. All incidental rights, powers and privileges, necessary to the accomplishment of the main objects herein set forth, are hereby granted to the said East Boothbay Water District.

Sec. 2. P&SL 1959, c. 132, §6, 3rd and 4th ¶¶ are amended to read:

As soon as convenient after their appointment, the first board of trustees shall hold a meeting at some convenient place in the district, to be called by any member thereof of the board in writing, designating the time and place and delivered in hand to the other 4 members, not less than 2 full days before the meeting. They may meet by agreement without such notice. They shall then organize by electing from their own number a chairman chair and a clerk and, not necessarily from their own number, a treasurer. They shall adopt a corporate seal and may adopt by-laws and perform any other acts within the powers delegated to them by law. Following the appointment of the new trustees at each annual meeting of said district, the