

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

instruction as the directors of the corporation may from time to time prescribe.

See title page for effective date.

CHAPTER 73

H.P. 1325 - L.D. 1815

**An Act to Make Allocations from
Maine Turnpike Authority Funds for
the Maine Turnpike Authority for
the Fiscal Year Ending December 31,
1997**

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

Sec. 1. Allocation. Gross revenues of the Maine Turnpike Authority for the fiscal year ending December 31, 1997 must be segregated, apportioned and disbursed as designated in the following schedule.

	1997
MAINE TURNPIKE AUTHORITY	
Administration	
Personal Services	\$468,150
All Other	1,227,281
TOTAL	1,695,431
Accounts and Controls	
Personal Services	467,545
All Other	260,019
TOTAL	727,564
Highway Maintenance	
Personal Services	2,748,905
All Other	1,997,667
TOTAL	4,746,572
Garages	
Personal Services	633,418
All Other	1,035,685
TOTAL	1,669,103
Fare Collection	

Personal Services	6,301,887
All Other	3,241,383
TOTAL	9,543,270
Public Safety and Special Services	
Personal Services	178,709
All Other	3,805,084
TOTAL	3,983,793
Building Maintenance	
Personal Services	654,294
All Other	497,076
TOTAL	1,151,370
MAINE TURNPIKE AUTHORITY	
TOTAL REVENUE FUNDS	\$23,517,103

Sec. 2. Transfer of allocations. Any balance of an allocation or subdivision of an allocation made by the Legislature for the Maine Turnpike Authority that at any time is not required for the purpose named in the allocation or subdivision may be transferred at any time prior to the closing of the books to any other allocation or subdivision of any allocation made by the Legislature for the use of the Maine Turnpike Authority for the same fiscal year subject to review by the joint standing committee of the Legislature having jurisdiction over transportation matters. Financial statements describing the transfer must be submitted by the Maine Turnpike Authority to the Office of Fiscal and Program Review 30 days before the transfer is to be implemented. In case of extraordinary emergency transfers, the 30-day prior submission requirement may be waived by vote of the committee. These financial statements must include information specifying the accounts that are affected, amounts to be transferred, a description of the transfer and a detailed explanation as to why the transfer is needed.

Sec. 3. Encumbered balance at year-end. At the end of each fiscal year, encumbered balances may be carried to the next fiscal year.

Sec. 4. Supplemental information. The Maine Turnpike Authority has submitted the following statement, for information purposes, regarding the revenues in 1997 that are necessary for capital expenditures and reserves and to meet the requirements of any resolution authorizing bonds of the Maine Turnpike Authority.

Debt Service Fund	\$6,796,401.00
Subordinate Debt Service Fund	-0-
Debt Service Reserve Fund	-0-
Reserve Maintenance Fund	8,000,000.00
Transfers to General Reserve Accounts for Capital Expenditures	2,557,422.37
M.D.O.T. Transfers	4,700,000.00
TOTAL	\$22,053,823.37

See title page for effective date.

CHAPTER 74

H.P. 1194 - L.D. 1638

**An Act to Revise the Charter of the
Boothbay Harbor Water System**

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, the boundary of the service area of the Boothbay Harbor water system needs clarification; and

Whereas, consumers within the service area clarified by this Act are desirous of service; and

Whereas, a grant may be available to assist with the costs of providing service to those consumers this year; 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 1895, c. 56, as amended by P&SL 1993, c. 38, §§1, 2 and 3, is repealed.

Sec. 2. Authority to convey, sell and purify water; authority to convey wastewater; service area. The Town of Boothbay Harbor is authorized and empowered to take water from Adams Pond in the Town of Boothbay or from any other ponds or supply in the Boothbay Harbor water system service area, sufficient for all domestic, sanitary, municipal and commercial purposes, to perform such operations and procedures as may be necessary to ensure the purity of any water so taken, including constructing and operating water treatment and purification facilities, and to take and convey the water, through the Boothbay Harbor water system service area. The town, acting through its board of water commissioners, is also authorized and empowered to sell water to the towns in the Boothbay Harbor water system service area, including the Town of Boothbay, and to any company, individual, firm or corporation in the Boothbay Harbor water system service area. The town is also authorized to convey through the towns of Boothbay, Boothbay Harbor and Southport such wastewater as may be produced in the operation of any water treatment or purification facility.

The Boothbay Harbor water system service area includes the area bounded and described as follows:

That part of the Town of Boothbay 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 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 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 northerly, westerly, southerly, and easterly direction along the boundary lines of Boothbay and Bristol, Boothbay and Edgcomb, Boothbay and Westport and Boothbay and Boothbay Harbor to the point of beginning. The Boothbay Harbor water system service area also includes the towns of Boothbay Harbor and Southport, the Village Corporation of Squirrel Island, Mouse Island and other adjacent islands.

Sec. 3. Powers. The Town of Boothbay Harbor has the power and is authorized to survey for,