

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

SECOND REGULAR SESSION
January 7, 1998 to March 31, 1998

SECOND SPECIAL SESSION
April 1, 1998 to April 9, 1998

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 1998

SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 9, 1998

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
1997

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 P&SL 1915, c. 197, §7, last ¶, as repealed and replaced by P&SL 1975, c. 82, §1, is repealed.

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

Effective March 5, 1998.

CHAPTER 65

H.P. 1471 - L.D. 2062

An Act to Provide for the 1998 and 1999 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 Law 1997, chapter 33 make a partial allocation of the state ceiling on private activity bonds to some issuers for calendar year 1998, 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 before 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 allocation of 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. No portion of the state ceiling for calendar year 1998 was previously allocated to the Treasurer of State. Thirty-five million dollars of the state ceiling previously unallocated is now allocated to the Treasurer of State to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 5. No portion of the state ceiling for calendar year 1999 is allocated to the Treasurer of State.

Sec. 2. Allocation to the Finance Authority of Maine. The \$25,000,000 of the state ceiling for calendar year 1998 previously allocated to the Finance Authority of Maine remains 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 1998. Twenty-five million dollars of the state ceiling for calendar year 1999 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 1998 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 1998. Ten million dollars of the state ceiling for calendar year 1999 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 \$20,000,000 of the state ceiling for calendar year 1998 previously allocated to the Maine Educational Loan Authority is allocated to the Maine Educational Loan Authority to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 8 for calendar year 1998. Twenty million dollars of the state ceiling for calendar year 1999 is allocated to the Maine Educational Loan Authority to be used or reallocated in accordance with Title 10, section 363, subsection 8.

Sec. 5. Allocation to the Maine State Housing Authority. The \$40,000,000 of the state ceiling for calendar year 1998 previously allocated to the Maine State Housing Authority 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 for calendar year 1998. Forty million dollars of the state ceiling for calendar year 1999 is allocated to the Maine State Housing Authority for the same uses.

Sec. 6. Allocation to the Maine Educational Loan Marketing Corporation. The \$20,000,000 of the state ceiling for calendar year 1998 previously allocated to the Maine Educational Loan Marketing Corporation 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 for calendar year 1998. Twenty million dollars of the state ceiling for calendar year 1999 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 1999 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 9, 1998.

CHAPTER 66

H.P. 1563 - L.D. 2194

**An Act to Change the Name of the
Knox Agricultural Society**

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

Whereas, the name of the Knox Agricultural Society needs to be changed immediately so that there is adequate time to prepare advertising for the summer festival; 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 1869, c. 210, §1, as amended by P&SL 1949, c. 32, §1, is further amended to read:

Sec. 1. Incorporator; name. Ziba Simmons, Joseph O. Cobb, N.B. Robbins, Nathan Bachelder, William G. Hawes, George Y. Creighton, Isaac E. Starrett, William G. McCollum, Sumner Leach, Oliver R. Butler, Ornestine Meservey, William H. Merservey, Charles Keene, Isaac Hobbs, Nathaniel Alford,

William McDowell, H.G. McCurdy, A.J.H. Newhall, Samuel Ripley, together with such other persons as may join them, are hereby constituted an agricultural society to be known by the name of the ~~Knox Agricultural Society Union Fair Society/State of Maine Wild Blueberry Festival.~~

Sec. 2. P&SL 1869, c. 210, §2, as amended by P&SL 1975, c. 16, is further amended to read:

Sec. 2. Location; limit on funds held. Said society is hereby established ~~within the towns of Warren, Hope, Appleton, Washington, Union and such other towns in Knox county as the trustees may vote to include,~~ and may take and hold property, real and personal, to the amount of \$500,000 for the purposes of said society.

Sec. 3. P&SL 1869, c. 210, §7, as amended by P&SL 1949, c. 32, §3, is further amended to read:

Sec. 7. Vacancies in membership, how filled; fees. All acts and doings of the said society are hereby validated and confirmed and the present members of said society are hereby declared to have been duly elected. The members of the society may elect to membership; any person and fix fees ~~therefor, any resident of the towns within which the society is established~~ for the members.

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

Effective March 18, 1998.

CHAPTER 67

H.P. 1425 - L.D. 1989

**An Act to Amend the Charter of the
Houlton Water Company**

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

Sec. 1. P&SL 1880, c. 227, §3, as amended by P&SL 1967, c. 28, §2, is further amended by adding at the end a new paragraph to read:

The company may not take by eminent domain the property or facilities of another public utility used or acquired for use in providing service to the public or in the performance of a public duty unless the company applies to the Public Utilities Commission and the commission finds that the taking is in the public interest.