

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

Sec. 2. P&SL 1905, c. 31, §1, as amended by P&SL 1937, c. 14, §3, is further amended by adding after the first paragraph a new paragraph to read:

The Houlton Water Company is authorized to construct and operate fiber-optic cable telecommunications facilities or equivalent facilities and to provide natural gas service in those towns in which the company may provide electricity.

Sec. 3. P&SL 1905, c. 31, §2, as amended by P&SL 1937, c. 14, §4, is further amended by adding after the first paragraph a new paragraph to read:

The company is authorized to exercise the same powers for the purposes of constructing and operating fiber-optic cable telecommunications facilities or equivalent facilities and for providing natural gas service as for supplying electricity as set out in this section.

Sec. 4. P&SL 1905, c. 31, §3 is amended to read:

Sec. 3. May erect poles, etc.; limitations. In erecting poles and lines of wires along, upon and over streets, ways and bridges, and in constructing and laying lines of wires and conduits under any stream, river, street or highway, ~~said the company shall be~~ is subject to the general laws of the ~~state~~ State applicable to corporations ~~which that~~ are authorized to make, generate, sell, distribute and supply electricity and to construct and operate natural gas and fiber-optic cable telecommunications service for power, lighting, heating, manufacturing and other purposes, and ~~shall have~~ has all the rights and powers of such corporations.

See title page for effective date.

CHAPTER 68

S.P. 751 - L.D. 2029

An Act to Amend the Charter of the Van Buren Light and Power District

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

Sec. 1. P&SL 1917, c. 182, §1, as repealed and replaced by P&SL 1983, c. 15, is amended to read:

Sec. 1. Territorial limits; name; purposes; bond issue authorized. The following described territory and the people within the territory, namely all of the Town of Van Buren, excepting that area contained by original Lots 237 through 246, inclusive; and so much of the Town of Hamlin as is

included in original Lots 306 through 308, inclusive; is hereby created a body politic and corporate under the name of the Van Buren Light and Power District; with the right of making, generating, purchasing, selling, distributing and supplying gas or electricity, or both, for lighting, heating, manufacturing or mechanical purposes, and to sell the gas or electricity for street lighting purposes and to light all public and private buildings, houses, stores, warehouses, mills and business places in the district, and likewise for heating, domestic and power purposes. The district may construct and operate fiber-optic cable telecommunications facilities or the equivalent of those facilities within the territory of the district. The district may build such system as may be required to carry out the purposes stated in this section, or acquire by purchase or the right of eminent domain any existing system or systems and enlarge or extend the system or systems as circumstances require. The district 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 district applies to the Public Utilities Commission and the commission finds that the taking is in the public interest. The district may also issue bonds in such amount as may appear necessary to fully accomplish these purposes with a view to furnishing the inhabitants of the district with gas and electricity and other services for all purposes to which the same may be advantageously applied.

Sec. 2. P&SL 1917, c. 182, §9, as amended by P&SL 1983, c. 76, is further amended to read:

Sec. 9. Rates and purposes for which money may be expended. All individuals, firms, and corporations, whether private, public or municipal, shall pay to the treasurer of the Van Buren Light and Power District the rates established by the board of trustees for the electricity and other services used by them either for light, heat, power or other purposes, and the rates ~~shall~~ must be uniform within the district. The rates ~~shall be~~ are subject to approval of the Public Utilities Commission, and ~~shall~~ must be so established as to provided for the following purposes:

1. Expenses. To pay the current running expenses for maintaining the light and power system and other systems contemplated by this Act, and interest on all indebtedness;

2. Sinking fund, serial debt. To provide each ~~and every~~ year after April 1, 1920, a sum equal to not less than 1/2%, nor more than 3%, and after April 1, 1925, a sum of not less than 1% nor more than 5% of the entire term indebtedness of the Van Buren Light and Power District, which sum ~~shall~~ must be set aside as a sinking fund to provide for the final extinguishment of the funded debt. The money set aside for the

sinking fund ~~shall~~ must be devoted to the retirement of the ~~long-term~~ long-term and ~~short-term~~ short-term obligations of the district or invested in such securities as savings banks are allowed to hold. In addition to the establishment of a sinking fund, the board of trustees may issue long-term bonds or notes payable in such annual installments as the board, subject to the approval of the Public Utilities Commission, may determine and, in that event, the rates ~~shall~~ must provide for the payment in each year of the annual installments of principal due in each such year; and

3. Surplus. Any surplus may, at the discretion of the ~~aforsaid~~ board of trustees, be transferred in whole or in part to the treasurer of the Town of Van Buren for the use of the inhabitants thereof.

See title page for effective date.

CHAPTER 69

S.P. 824 - L.D. 2214

**An Act to Repeal the Laws
Governing the Jackman Water
District and the Jackman Sewer
District**

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

Sec. 1. P&SL 1969, c. 88, as amended, is repealed.

Sec. 2. P&SL 1971, c. 119, as amended, is repealed.

See title page for effective date.

CHAPTER 70

H.P. 1584 - L.D. 2215

**An Act to Establish Municipal Cost
Components for Unorganized
Territory Services To Be Rendered
in Fiscal Year 1998-99**

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

Whereas, prompt determination and certification of the municipal cost components in the Unorganized Territory Tax District is necessary to the establishment of a mill rate and the levy of the Unorganized Territory Educational and Services Tax; 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. Municipal cost components for services rendered. In accordance with the Maine Revised Statutes, Title 36, chapter 115, the Legislature determines that the net municipal cost component for services and reimbursements to be rendered in fiscal year 1998-99 is as follows:

| | |
|--|-----------|
| Audit - Fiscal Administration | \$108,207 |
| Education | 9,728,364 |
| Forest Fire Protection | 150,000 |
| Human Services - General Assistance | 69,610 |
| Property Tax Assessment - Operations | 475,120 |
| Maine Land Use Regulation Commission - Operations | 168,273 |

| | |
|----------------------|--------------|
| Total State Agencies | \$10,699,574 |
|----------------------|--------------|

County reimbursement for services:

| | |
|-------------|-----------|
| Aroostook | \$568,016 |
| Franklin | 324,025 |
| Hancock | 36,656 |
| Oxford | 277,394 |
| Penobscot | 651,182 |
| Piscataquis | 398,900 |
| Somerset | 581,015 |
| Washington | 316,784 |

| | |
|-----------------------|-------------|
| Total County Services | \$3,153,972 |
|-----------------------|-------------|

| | |
|---------------------------|---------------------|
| TOTAL REQUIREMENTS | \$13,853,546 |
|---------------------------|---------------------|

COMPUTATION OF ASSESSMENT

| | |
|------------------|--------------|
| Requirements | \$13,853,546 |
| Less Deductions: | |

| | |
|--|-----------|
| General - | |
| State Revenue Sharing | \$210,000 |
| Miscellaneous Revenues | 50,000 |
| Transfer from Undesignated Fund Balance | 2,700,000 |

| | |
|-------|-------------|
| Total | \$2,960,000 |
|-------|-------------|

| | |
|----------------------|-----------|
| Educational - | |
| Lands Reserved Trust | \$100,000 |
| Tuition/Travel | 200,000 |
| Miscellaneous | 1,500 |