

# 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.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1997**

Salary Savings - Brookton	
Personnel	300,000
Special - Retirement	150,000
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Total	\$751,500
TOTAL DEDUCTIONS	(\$3,711,500)
TAX ASSESSMENT	\$10,142,046

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

Effective March 26, 1998.

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**CHAPTER 71**

**S.P. 854 - L.D. 2267**

**An Act to Amend the Charter of  
Great Northern Paper, Inc.**

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

**Sec. 1. Sale of electricity.** Notwithstanding any other provision of the Maine Revised Statutes, Title 35-A or the provisions of any private and special law enacted prior to the effective date of this Act, including Private and Special Law 1917, chapter 94, section 2 and Private and Special Law 1969, chapter 62, Great Northern Paper, Inc. and its successors in interest are authorized to continue to furnish electricity over electric lines with a total continuous transfer capacity not to exceed 251 megawatts to and from the pulp and paper production and related facilities that are located in the Town of Millinocket, referred to throughout this Act as "those facilities," whether or not those facilities are owned by Great Northern Paper, Inc. Since Great Northern Paper, Inc. has not been considered prior to the effective date of this Act an "electric utility" for purposes of furnishing electricity to and from those facilities, neither Great Northern Paper, Inc. nor its successors in interest may be considered an "electric utility," as that term is defined in Title 35-A, for purposes of continuing to furnish electricity to and from those facilities, but it is subject to the laws of general applicability as otherwise may apply to persons engaged in the business of selling electricity in the State.

See title page for effective date.

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**CHAPTER 72**

**H.P. 1512 - L.D. 2134**

**An Act Related to the Service  
Territory of the Kennebunk Light  
and Power District**

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

**Whereas,** an immediate resolution of the dispute involving Central Maine Power Company, the Kennebunk, Kennebunkport and Wells Water District and the Kennebunk Light and Power District is in the best interests of all parties; 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. Kennebunk Light and Power District service.** Notwithstanding the Maine Revised Statutes, Title 35-A, section 2102, the Kennebunk Light and Power District, referred to in this Act as the "power district," may, with the consent of the Kennebunk, Kennebunkport and Wells Water District, referred to in this Act as the "water district," connect its electric transmission or distribution facilities to the water district and sell electric power to the water district without the prior approval of the Public Utilities Commission. If the power district connects its electric transmission or distribution facilities to the water district and sells electric power to the water district, the water district shall pay to the Central Maine Power Company, referred to in this Act as the "company," an amount determined by the Public Utilities Commission to be a reasonable allocation of the company's stranded costs. The Public Utilities Commission shall make its determination of the amount the water district must pay based on the commission's initial determination of the company's stranded costs pursuant to Title 35-A, section 3208. Beginning on the date the water district is disconnected from the electric system of the company, the water district becomes liable for those stranded costs allocated to the water district by the Public Utilities Commission under this Act. The method and timing of payments by the water district to the company must be established by agreement between the water district and the company or, agreement failing, on a schedule determined by the Public Utilities Commission.

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

Effective March 30, 1998.

**CHAPTER 73**

**H.P. 1443 - L.D. 2007**

**An Act to Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 1999**

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

**Whereas,** the 90-day period may not terminate until after the beginning of the next fiscal year; and

**Whereas,** certain obligations and expenses incident to the operation of the Maine State Retirement System will become due and payable before the 90-day period terminates; 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 of funds.** Administrative operating expenses of the Maine State Retirement System for the fiscal year ending June 30, 1999 must be paid from the retirement system's Expense Fund in accordance with the following schedule.

**1998-99**

**MAINE STATE RETIREMENT SYSTEM**

Personal Services	\$5,035,216
All Other	2,569,350

**MAINE STATE RETIREMENT SYSTEM TOTAL ALLOCATIONS**

\$7,604,566

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

**1998-99**

**MAINE STATE RETIREMENT SYSTEM**

General Fund	\$4,622,388
Non-General Fund	1,685,003
Participating Local District and Other	1,297,175

**MAINE STATE RETIREMENT SYSTEM TOTAL ATTRIBUTIONS**

\$7,604,566

**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 agreements approval.** The allocations made in section 1 and the attributions made in section 2 include the amounts required to fund the collective bargaining agreements in fiscal year 1998-99 in accordance with Private and Special Law 1997, chapter 12.

**Sec. 5. Authorization to expend retirement system reserve administrative operating funds.** Of the amount authorized to be expended in section 1, \$500,000 for the administrative costs of the retirement system associated with the teachers' retirement program must be provided from the system's reserve administrative operating funds and \$151,352 to fund the system's collective bargaining agreements in fiscal year 1998-99 must be provided from the system's reserve administrative operating funds.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect July 1, 1998.

Effective July 1, 1998.

**CHAPTER 74**

**S.P. 709 - L.D. 1957**

**An Act to Amend the Charter of the Sanford Sewerage District**

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

**Sec. 1. P&SL 1947, c. 169, §6, last ¶,** as amended by P&SL 1977, c. 90, §9, is repealed.

**Sec. 2. P&SL 1947, c. 169, §§6-A and 6-B** are enacted to read: