

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 13, 2002 to November 14, 2002**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 2002 to June 14, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 13, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 13, 2003**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2003**

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. Boundary line between the Town of Bridgton and the Town of Harrison along Long Lake.** The boundary line between the Town of Bridgton and the Town of Harrison along Long Lake is reestablished along the center of the lake.

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

Effective April 17, 2003.

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## CHAPTER 6

H.P. 18 - L.D. 11

### **An Act to Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 2004**

**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 may terminate; 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, 2004 must be paid from the retirement system's Expense Fund in accordance with the following schedule.

2003-04

### **MAINE STATE RETIREMENT SYSTEM**

Personal Services	\$7,098,675
All Other	2,860,570

### **MAINE STATE RETIREMENT SYSTEM**

<b>TOTAL ALLOCATIONS</b>	<b>\$9,959,245</b>
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**Sec. 2. Attribution of costs.** The expenses identified in section 1 are attributed as follows.

2003-04

### **MAINE STATE RETIREMENT SYSTEM**

General Fund	\$6,697,592
Non-General Fund	1,508,826
Participating Local District and Other	1,752,827

### **MAINE STATE RETIREMENT SYSTEM**

<b>TOTAL ATTRIBUTIONS</b>	<b>\$9,959,245</b>
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**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. Authorization to expend retirement system reserve administrative operating funds.** Of the amount authorized to be expended in section 1 for the administrative costs of the retirement system, \$100,000 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, 2003.

Effective July 1, 2003.

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## CHAPTER 7

H.P. 451 - L.D. 621

### **An Act To Increase the Debt Limit of the Rockland Port District**

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

**Sec. 1. P&SL 1951, c. 108, §4, first sentence,** as amended by P&SL 1957, c. 78, §2, is further amended to read:

To procure funds for the purposes of this act, and for such other expenses as may be necessary to carry out said purposes, the said district, by its trustees, is hereby authorized from time to time to borrow money and to issue its bonds or notes therefor, but shall not incur a total indebtedness at any one time outstanding exceeding the sum of ~~\$100,000~~ \$600,000.

See title page for effective date.

## CHAPTER 8

### S.P. 535 - L.D. 1575

#### **An Act To Assist Brascan, the Successor to Great Northern Paper, in Paying the Property Taxes Due to the Towns of Millinocket and East Millinocket**

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

**Whereas,** Great Northern Paper, Inc., the owner of 2 large paper mills in the towns of Millinocket and East Millinocket, is currently in bankruptcy; and

**Whereas,** the bankruptcy of Great Northern Paper, Inc., is causing substantial economic hardship to the towns of Millinocket and East Millinocket, to the employees and suppliers of Great Northern Paper, Inc., and to the economy of the region; and

**Whereas,** part of the economic hardship occasioned by the insolvency of Great Northern Paper, Inc., is that \$7.8 million of property taxes due to the towns of Millinocket and East Millinocket for the 2002-03 property tax year have not been paid, and the assets of the bankrupt estate will not be sufficient to pay the taxes; and

**Whereas,** Brascan Corporation, or its designee, has agreed to purchase the mills and has also offered to alleviate the hardship by paying the property taxes, and these payments will be made, in part, by applying loan proceeds secured by Business Equipment Tax Reimbursement program payments related to the mills; and

**Whereas,** the Business Equipment Tax Reimbursement program payments are not payable by the State until after August 1, 2004, which will delay the payment of taxes to the towns, and this delay can be alleviated by this Act; and

**Whereas,** in order to facilitate the foregoing, this legislation must be enacted prior to the purchase of the assets of Great Northern Paper, Inc. by Brascan Corporation; 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. Definitions.** As used in this Act, unless the context otherwise indicates, the following terms have the following meanings.

1. "Acquiring business" means a business that acquires substantially all of the assets of Great Northern Paper, Inc.

2. "Authority" means the Finance Authority of Maine.

3. "BETR" means the Business Equipment Tax Reimbursement program established under the Maine Revised Statutes, Title 36, chapter 915.

4. "Bureau" means the Department of Administrative and Financial Services, Bureau of Revenue Services.

5. "Great Northern" means Great Northern Paper, Inc., Chapter 11 Debtor in Possession.

6. "Millinocket and East Millinocket mills BETR reimbursement" means the amount of the BETR reimbursement relating to the 2nd installment of property taxes assessed against Great Northern by Millinocket and East Millinocket for the 2002-03 property tax year, as certified by the bureau.

**Sec. 2. Millinocket and East Millinocket BETR reimbursement loan program.** Upon purchase by a business of substantially all of the assets of Great Northern, the authority shall provide a loan to the acquiring business in the amount of the Millinocket and East Millinocket mills BETR reimbursement, but not to exceed \$1,550,000, on the following terms and conditions.

1. The loan must be made at the closing of the purchase of the Great Northern assets by the acquiring business.

2. The loan proceeds must be used to pay property taxes due the Town of Millinocket or the Town of East Millinocket for the 2002-03 property tax year at the closing of the purchase of the assets of Great Northern.