

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.

Penmor Lithographers
Lewiston, Maine
2003

"Do you favor permitting the Bayside Utilities District to acquire the water-related and sewer-related assets of the Northport Village Corporation?"

The question to be submitted to the legal voters within the district must read as follows:

"Do you favor creating the Bayside Utilities District?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion of the same.

The results must be declared by the municipal officers of the Town of Northport and due certificate of the results filed by the clerk with the Secretary of State.

This Act takes effect for all purposes immediately upon its approval by a majority of the eligible voters of the Northport Village Corporation at its annual meeting and by a majority of the legal voters voting at the election. Failure to achieve the necessary approval in any referendum does not prohibit subsequent referenda consistent with this section, provided the referenda are held prior to January 1, 2005.

Effective pending referendum.

CHAPTER 10

H.P. 14 - L.D. 7

An Act to Address Funding of the North Jay Water District

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

Whereas, the North Jay Water District needs to replace old water mains, and the needed funds will exceed the current borrowing capacity of the district; and

Whereas, the district needs an immediate increase in its borrowing authority in order to accomplish the needed replacements; and

Whereas, this legislation is necessary for the health of the inhabitants of the North Jay Water District; 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 1951, c. 107, §9, first sentence, as amended by P&SL 1967, c. 215, §1, is further amended to read:

For accomplishing the purposes of this Act, ~~said~~ the district, through its trustees, is authorized to borrow money from time to time, not exceeding ~~\$500,000~~ \$900,000 and to issue therefor the interest-bearing negotiable notes or bonds of the district, maturing serially or otherwise, and to make subsequent renewals of the same in whole or in part, and for said purposes and for the purpose of refunding any notes, bonds or other lawful indebtedness, to establish a fund therefor, and for expenses and liabilities incurred or assumed under the provisions of this Act, including expenses in the creation of this district, in securing sources of supply, taking water and land, paying damages, laying pipes, constructing, maintaining and operating a water plant and making extensions, additions and improvements to the same, the ~~said~~ district, through its trustees, may, from time to time, issue bonds of the district to an amount necessary in the judgment of the trustees therefor, maturing at one time or in uniform or varying installments, with or without call provisions and at such rates of interest and on such terms and conditions as the trustees ~~shall~~ determine.

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

Effective May 6, 2003.

CHAPTER 11

H.P. 576 - L.D. 777

An Act To Amend the Laws Regarding the Location of the Wells National Estuarine Research Reserve

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

Sec. 1. P&SL 1989, c. 108, §4 is amended to read:

Sec. 4. Location of the reserve. The reserve ~~contains approximately 1,600 acres~~ is located in the Town of Wells and includes lands between the Little River to the north and the ~~Eldridge~~ Ogunquit River to the south. The boundary to the east parallels the shoreline, excluding the shoreline development, and to the west ~~is bordered by the coastal wetland margin~~ includes lands adjacent to the Wells coastal wetlands

and within the drainage basins of their tributary streams. Specifically, the reserve contains:

1. Lands in the Rachel Carson National Wildlife Refuge managed by the United States Fish and Wildlife Service;
2. Land purchased or acquired for a state park managed by the ~~Bureau of Parks and Recreation~~ Department of Conservation;
3. Submerged tidal lands managed by the ~~Bureau of Public Lands~~ Department of Conservation;
4. Land purchased by the Town of Wells or the State; ~~and~~
5. Land donated by the Town of Wells to the Department of Conservation as a conservation easement; ~~and~~
6. Other lands or interests in land in the location described in this section acquired by the reserve from willing sellers or added to the reserve by agreement for the purpose of furthering the reserve's conservation, research or educational programs.

Sec. 2. P&SL 1989, c. 108, §6, sub-§5 is amended to read:

5. Within 120 days after the close of its fiscal year, the authority shall provide a copy of its annual financial report certified by an independent certified public accountant selected by the authority to the Commissioner of Conservation, the Director of the State Planning Office, the Treasurer of State, the State Auditor and the ~~Joint Standing Committee on Energy and Natural Resources~~ joint standing committee of the Legislature having jurisdiction over conservation matters. The financial report must comply with federal Office of Management and Budget requirements.

See title page for effective date.

CHAPTER 12

H.P. 852 - L.D. 1153

**An Act To Make Allocations from
Maine Turnpike Authority Funds for
the Maine Turnpike Authority for
the Calendar Year Ending December
31, 2004**

**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 calendar year ending December 31, 2004 must be segregated,

apportioned and disbursed as designated in the following schedule.

2004

**MAINE TURNPIKE
AUTHORITY**

Administration

Personal Services	\$647,731
All Other	1,014,520
TOTAL	1,662,251

Accounts and Controls

Personal Services	580,611
All Other	289,710
TOTAL	870,321

Highway Maintenance

Personal Services	3,269,135
All Other	2,268,140
TOTAL	5,537,275

Equipment Maintenance

Personal Services	792,957
All Other	1,168,545
TOTAL	1,961,502

Fare Collection

Personal Services	9,326,534
All Other	4,011,022
TOTAL	13,337,556

**Public Safety and Special
Services**

Personal Services	343,793
All Other	4,826,007
TOTAL	5,169,800

Building Maintenance

Personal Services	552,258
All Other	528,590
TOTAL	1,080,848