

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

| | |
|--|--------------|
| Subtotal of Line Items Budgeted | 29,619,553 |
| General Contingency - 5% of line items budgeted for 2004 (10% allowed) | 1,480,978 |
| MAINE TURNPIKE AUTHORITY | |
| TOTAL REVENUE FUNDS | \$31,100,531 |

Sec. 2. Transfer of allocations. Any balance of an allocation for "General Contingency" made by the Legislature for the Maine Turnpike Authority may be transferred at any time prior to the closing of the books to any other allocation or subdivision of any other allocation made by the Legislature for the use of the Maine Turnpike Authority for the same calendar year. Any balance of any other allocation or subdivision of any other allocation made by the Legislature for the Maine Turnpike Authority that at any time is not required for the purpose named in the allocation or subdivision may be transferred at any time prior to the closing of the books to any other allocation or subdivision of any other allocation made by the Legislature for the use of the Maine Turnpike Authority for the same calendar year, subject to review by the joint standing committee of the Legislature having jurisdiction over transportation matters. Financial statements describing the transfer, other than a transfer from "General Contingency," must be submitted by the Maine Turnpike Authority to the Office of Fiscal and Program Review 30 days before the transfer is to be implemented. In case of extraordinary emergency transfers, the 30-day prior submission requirement may be waived by vote of the committee. These financial statements must include information specifying the accounts that are affected, amounts to be transferred, a description of the transfer and a detailed explanation as to why the transfer is needed.

Sec. 3. Encumbered balance at year-end. At the end of each calendar year, encumbered balances may be carried to the next calendar year.

Sec. 4. Supplemental information. As required by the Maine Revised Statutes, Title 23, section 1961, subsection 6, the following statement of the revenues in 2004 that are necessary for capital expenditures and reserves and to meet the requirements of any resolution authorizing bonds of the Maine Turnpike Authority during 2004, including debt service and the maintenance of reserves for debt service and reserve maintenance, is submitted.

2004

Turnpike Revenue Bond Resolution Adopted April 18, 1991; Issuance of Bonds Authorized Pursuant to the Maine Revised Statutes, Title 23, section 1968, subsections 1 and 2.

| | |
|---|--------------|
| Debt Service Fund | \$19,884,152 |
| Reserve Maintenance Fund | 14,000,000 |
| General Reserve Fund, to be applied as follows: | |
| Capital Improvements | 2,321,351 |
| Debt Service Fund under the General Special Obligation Bond Resolution adopted May 15, 1996; issuance of bonds authorized pursuant to the Maine Revised Statutes, Title 23, section 1968, subsection 2-A. | 2,466,290 |
| TOTAL | \$38,671,793 |

See title page for effective date.

CHAPTER 13

S.P. 312 - L.D. 971

An Act To Amend the Constitution of the Maine Episcopal Missionary Society

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

Sec. 1. P&SL 1835, c. 556, §1, as amended by P&SL 1875, c. 11, §2, is further amended to read:

Sec. 1. Name of persons incorporated. That Robert Hallowell Gardiner, Frederic Allen, Edward Swan, Phineas Pratt, Arthur Berry, John Merrill, Patrick H. Greenleaf and Joseph T. Harris, together with their associates and successors ~~be and they hereby~~ are incorporated into a body politic by the name of the Maine Episcopal Missionary Society with power to sue and be sued, to have a common seal and to change the same; to make any by-laws for the management of their affairs not repugnant to the laws of this State; and to take hold and possess any real or personal estate ~~without limit as to the value of one hundred thousand dollars~~ and to give and grant, bargain and sell or lease the same.

Sec. 2. P&SL 1875, c. 11, §3 is repealed and the following enacted in its place:

Sec. 3. Board of missions made members of. The sole member of the Maine Episcopal Missionary Society is the Episcopal Diocese of Maine.

See title page for effective date.

CHAPTER 14

H.P. 819 - L.D. 1116

An Act Regarding University of Maine System Boards of Visitors

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

Sec. 1. P&SL 1865, c. 532, §4-B, sub-§5, ¶B, as enacted by P&SL 1997, c. 37, §3, is amended to read:

B. Each board of visitors shall:

- (1) Advocate for the university;
- (2) Raise private funds for the university;
- (3) Advise the head of each campus on community and regional needs; ~~and~~
- (4) Review for final recommendation to the Board of Trustees tuition increases, new academic programs and the 5-year plan of the university; ~~and~~
- (5) Submit an annual report of its activities to the Board of Trustees. The Board of Trustees shall submit a copy of the annual report of each board of visitors to the Legislature and to the joint standing committee of the Legislature having jurisdiction over education matters annually in January as part of its report required in the Maine Revised Statutes, Title 20-A, section 10902-A.

See title page for effective date.

CHAPTER 15

S.P. 242 - L.D. 678

An Act To Amend the Charter of the Lubec Water and Electric District

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

Whereas, in 1991 the Lubec Water and Electric District changed its name to the Lubec Water District; and

Whereas, the legislation was passed by the Legislature as Private and Special Law 1991, chapter 14; and

Whereas, the law required that the changes to the name of the district be approved by the voters of the Town of Lubec; and

Whereas, the Town of Lubec never held an election to vote on these matters; and

Whereas, it is imperative to have this legislation take effect as soon as possible; 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. 92, §§1 to 5 are amended to read:

Sec. 1. Territorial limits, corporate name, powers and purposes. The inhabitants and territory within the ~~town~~ Town of Lubec; in the ~~county~~ County of Washington (hereinafter referred to as Lubec); ~~shall be and hereby~~ are constituted a body politic and corporate under the name of Lubec Water and Electric District (hereinafter referred to as district), with the purpose, right and power to take and use water for domestic, commercial, sanitary and municipal purposes including extinguishment of fire, ~~and to make, buy, generate, sell and distribute electricity;~~ and, also, so far as applicable to ~~said~~ these purposes, with the rights and powers conferred upon ~~said~~ Lubec by section 1 of chapter 489 of the private and special laws of 1901; ~~as amended by section 1 of chapter 47 of the private and special laws of 1919, and by section 1 of chapter 91 of the private and special laws of the special session of 1933.~~

Sec. 2. Title of utility properties of Lubec to vest in district. ~~At the time this act takes effect, the~~ The title of Lubec to the entire plant, lands, property and franchises, rights and privileges, including all rents, water rights, dams, reservoirs, pipes, machinery, fixtures, hydrants, tools, apparatus and appliances used in connection with its water business, ~~and also the property, franchises, property rights, privileges and assets, including land, poles, wiring, fixtures, machinery, apparatus and appliances used or capable of being used in connection with maintaining its electrical business;~~ together with all unexpended funds credited to ~~said~~ the water and electric department and all bills receivable for water ~~and electric services~~ service, ~~shall become~~ remain the property of and vest in ~~said~~ the