

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

district, the trustee vacates the office of the trustee. The trustees may also adopt bylaws as necessary for their own convenience and the proper management of the affairs of the district and may procure an office and incur expenses as necessary. The treasurer and the general manager shall furnish bond in a form and with sureties the trustees approve.

Sec. 4. P&SL 1951, c. 92, §10 is amended to read:

Sec. 10. Valid contracts of present companies to be assumed by district. All valid contracts now existing between ~~Lubec the district~~ and any persons or corporations for supplying water, ~~light and power~~, in the ~~town~~ Town of Lubec or elsewhere ~~shall must~~ be assumed and carried out by ~~said the~~ district.

Sec. 5. P&SL 1951, c. 92, §14, sub-§I is amended to read:

I. To pay the current expenses for operating and maintaining the water, ~~light and power~~ system.

Sec. 6. P&SL 1951, c. 92, §14, sub-§V is enacted to read:

V. Notwithstanding any other provisions in this section, the district is authorized to hold all money received from the sale of that portion of the district's property formerly used to provide electric service and to continue to use these funds or any part of these funds, as the trustees determine advisable, for the extension or improvement of water service or as a means of delaying increases in rates for water service. The fund must be separately accounted for and its application must be overseen by the Public Utilities Commission. The district may, with consent of the Public Utilities Commission, set aside some portion as a reserve with which to make the annual payment to the Town of Lubec required by Section 2 of this Charter.

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

Effective May 13, 2003.

CHAPTER 16

S.P. 308 - L.D. 967

An Act To Amend the Charter of the Madawaska Water District

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

Whereas, in order for the Madawaska Water District to have sufficient opportunity to hold the referendum required by this legislation, which is to be held prior to January 1, 2004, this legislation needs be passed as an emergency; 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 1953, c. 17, §13-A is enacted to read:

Sec. 13-A. Readiness-to-serve charges. The district shall assess readiness-to-serve charges against properties abutting on or accessible to the water lines of the district that on or after January 1, 2004 become improved with new residential or commercial structures requiring systems for the disposal of sewage and wastewater, including, but not limited to, sewer service from the Town of Madawaska, but that do not connect to the district's water lines. The district shall assess readiness-to-serve charges at the district's minimum rate under the district's rate schedule.

Sec. 2. Emergency clause; referendum; effective date. In view of the emergency cited in the preamble, this Act takes effect when approved only for the purpose of permitting its submission to the legal voters within the Madawaska Water District at a referendum within the district held prior to January 1, 2004. The referendum must be called, advertised and conducted according to the law relating to municipal elections, except the registrar of voters is not required to prepare or the clerk to post a new list of voters. For the purpose of registering voters, the registrar of voters must be in session on the regular work day preceding the election. The content of this Act must be reduced to the following question:

"Do you favor permitting the Madawaska Water District to charge readiness-to-serve charges against properties abutting on or accessible to the water lines of the district that on or after January 1, 2004 are improved with new residential or commercial structures requiring systems for the disposal of sewage and wastewater but that do not connect to the district's water lines?"

The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion on the question.

The results must be declared by the trustees of the Madawaska Water District and due certificate of

the results filed by the clerk with the Secretary of State.

This Act takes effect immediately upon its acceptance by a majority of the legal voters voting at the election.

Effective pending referendum.

CHAPTER 17

S.P. 428 - L.D. 1326

An Act To Provide for the 2003 and 2004 Allocations of the State Ceiling on Private Activity Bonds

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

Whereas, the Maine Revised Statutes, Title 10, section 363 and Private and Special Law 2001, chapter 53 make a partial allocation of the state ceiling on private activity bonds to some issuers for calendar year 2003, but leave a portion of the state ceiling unallocated and do not provide sufficient allocations for certain types of private activity bonds that may require an allocation prior to the effective date of this Act if not enacted on an emergency basis; and

Whereas, if these bond issues are delayed due to lack of available state ceiling, the rates and terms under which these bonds may be issued may be adversely affected, resulting in increased costs to beneficiaries or even unavailability of financing for certain projects; 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 to Treasurer of State. No portion of the state ceiling for calendar year 2003 was previously allocated to the Treasurer of State. Twenty million dollars of the state ceiling previously unallocated is now allocated to the Treasurer of State to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 5 for calendar year 2003. No portion of the state ceiling for calendar year 2004 is allocated to the Treasurer of State.

Sec. 2. Allocation to Finance Authority of Maine. The \$30,000,000 of the state ceiling for calendar year 2003 previously allocated to the Finance Authority of Maine remains allocated to the Finance Authority of Maine to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 6 for calendar year 2003. Thirty million dollars of the state ceiling previously unallocated is now allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 6 for calendar year 2003. Thirty million dollars of the state ceiling for calendar year 2004 is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 6.

Sec. 3. Allocation to Maine Municipal Bond Bank. The \$10,000,000 of the state ceiling for calendar year 2003 previously allocated to the Maine Municipal Bond Bank remains allocated to the Maine Municipal Bond Bank to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 7 for calendar year 2003. Ten million dollars of the state ceiling for calendar year 2004 is allocated to the Maine Municipal Bond Bank to be used or reallocated in accordance with Title 10, section 363, subsection 7.

Sec. 4. Allocation to Maine Educational Loan Authority. No portion of the state ceiling for calendar year 2003 was previously allocated to the Maine Educational Loan Authority. No portion of the state ceiling for calendar year 2004 is allocated to the Maine Educational Loan Authority.

Sec. 5. Allocation to Maine State Housing Authority. The \$40,000,000 of the state ceiling for calendar year 2003 previously allocated to the Maine State Housing Authority remains allocated to the Maine State Housing Authority to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 4 for calendar year 2003. Forty million dollars of the state ceiling for calendar year 2004 is allocated to the Maine State Housing Authority to be used or reallocated in accordance with Title 10, section 363, subsection 4 for calendar year 2004.

Sec. 6. Unallocated state ceiling. Ninety-eight million five hundred eighty thousand dollars of the state ceiling for calendar year 2003 is unallocated and must be reserved for future allocation in accordance with applicable laws. One hundred forty-eight million five hundred eighty thousand dollars of the state ceiling for calendar year 2004 is unallocated and must be reserved for future allocation in accordance with applicable laws.