

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2004 to March 30, 2005**

**FIRST SPECIAL SESSION**  
**April 4, 2005 to June 18, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 29, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 17, 2005**

**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**  
**2005**

**Sec. 2. Allocation to Finance Authority of Maine.** The following amounts are allocated to the Finance Authority of Maine.

1. The \$30,000,000 in state ceiling for calendar year 2005 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 2005. Thirty million dollars of the state ceiling for calendar year 2006 is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 6.

2. No portion of the state ceiling for calendar year 2005 was previously allocated to the Finance Authority of Maine to be used in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 8-A. Forty million dollars of the state ceiling for calendar year 2005 is allocated to the Finance Authority of Maine, the entity designated pursuant to Title 20-A, section 11407, to use in accordance with Title 10, section 363, subsection 8-A. No portion of the state ceiling for calendar year 2006 is allocated to the Finance Authority of Maine, the entity designated pursuant to Title 20-A, section 11407, to be used in accordance with Title 10, section 363, subsection 8-A.

**Sec. 3. Allocation to Maine Municipal Bond Bank.** The \$10,000,000 of the state ceiling for calendar year 2005 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 2005. Ten million dollars of the state ceiling for calendar year 2006 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.** The \$10,000,000 of the state ceiling for calendar year 2005 previously allocated to the Maine Educational Loan Authority remains allocated to the Maine Educational Loan Authority to be used in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 8. An additional \$10,000,000 of the state ceiling for calendar year 2005 is allocated to the Maine Educational Loan Authority to be used in accordance with Title 10, section 163, subsection 8. No portion of the state ceiling for calendar year 2006 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 2005 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 2005. Forty million dollars of the state ceiling for calendar year 2006 is allocated to the Maine State Housing Authority to be used or reallocated in accordance with Title 10, section 363, subsection 4.

**Sec. 6. Unallocated state ceiling.** Of the state ceiling for calendar year 2005, \$94,180,000 is unallocated and must be reserved for future allocation in accordance with applicable laws. Of the state ceiling for calendar year 2006, \$154,180,000 is unallocated and must be reserved for future allocation in accordance with applicable laws.

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

Effective May 10, 2005.

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## CHAPTER 6

### H.P. 611 - L.D. 860

#### An Act To Efficiently Use Funds of the Public Utilities Commission

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

**Whereas,** it is necessary that the Public Utilities Commission have sufficient funds to carry out its statutory obligations during fiscal year 2005-06; 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. Use of unexpended funds.** Notwithstanding the Maine Revised Statutes, Title 35-A, section 116, subsection 5, the Public Utilities Commission may expend in fiscal year 2005-06 and fiscal year 2006-07, for the purposes specified in Title 35-A, section 116, subsection 4, 100% of any unexpended funds remaining at the end of the prior fiscal year. Treatment of funds not expended at the end of fiscal year 2006-07 is governed by Title 35-A, section 116, subsection 5.

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

Effective May 12, 2005.

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**CHAPTER 7**

**H.P. 268 - L.D. 355**

**An Act To Amend the Mexico Water District Charter**

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

**Sec. 1. P&SL 1929, c. 102, §8, 2nd sentence from the end,** as amended by P&SL 1993, c. 30, §1, is further amended to read:

~~Each member receives in full compensation for the member's services an allowance of \$300 per year, plus \$15 for each meeting attended up to a total of 20 meetings per year as established in accordance with the Maine Revised Statutes, Title 35-A, section 6410, subsection 7.~~

See title page for effective date.

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**CHAPTER 8**

**H.P. 337 - L.D. 459**

**An Act To Amend the Mexico Sewer District Charter**

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

**Sec. 1. P&SL 1957, c. 156, §17, last ¶, 7th sentence,** as amended by P&SL 1965, c. 15, is further amended to read:

~~The trustees shall meet monthly, and specially as may be necessary, and each shall receive compensation of \$10 for each regular or special meeting attended; provided, however, that the total annual compensation of each shall not exceed \$200 as established in accordance with the Maine Revised Statutes, Title 38, section 1252.~~

See title page for effective date.

**CHAPTER 9**

**H.P. 947 - L.D. 1364**

**An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2005-06**

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

Whereas, prompt determination and certification of the municipal cost components in the Unorganized Territory Tax District are necessary to the establishment of a mill rate and the levy of the Unorganized Territory Educational and Services Tax; 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. Municipal cost components for services rendered.** In accordance with the Maine Revised Statutes, Title 36, chapter 115, the Legislature determines that the net municipal cost component for services and reimbursements to be rendered in fiscal year 2005-06 is as follows:

Audit - Fiscal Administration	\$118,207
Education	11,916,245
Forest Fire Protection	160,000
Human Services - General Assistance	72,250
Property Tax Assessment - Operations	672,688
Maine Land Use Regulation Commission - Operations	350,332
<b>TOTAL STATE AGENCIES</b>	<b>\$13,289,722</b>
County Reimbursements for Services:	
Aroostook	\$676,752
Franklin	600,716
Hancock	130,808
Kennebec	5,977
Oxford	408,363
Penobscot	722,554
Piscataquis	724,671
Somerset	840,286