

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 20, 2007

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IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2007

ing 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 2008 that are necessary for capital expenditures and reserves and to meet the requirements of any resolution authorizing bonds of the Maine Turnpike Authority during 2008, including debt service and the maintenance of reserves for debt service and reserve maintenance, is submitted.

Turnpike Revenue Bond 2008
Resolution Adopted April 18,
1991; Issuance of Bonds
Authorized Pursuant to the
Maine Revised Statutes, Title 23,
section 1968, subsections 1 and
2-A

Debt Service Fund	\$26,893,601
Reserve Maintenance Fund	22,000,000
General Reserve Fund, to be applied as follows:	
Capital Improvements	(296,492)
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	2,466,588
TOTAL	\$51,063,697

See title page for effective date.

CHAPTER 8
S.P. 310 - L.D. 993

**An Act To Amend the Charter
of the Winterport Water
District**

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

Sec. 1. P&SL 1969, c. 94, §18-E, 2nd ¶, as enacted by P&SL 2005, c. 50, §8, is amended to read:

This section is repealed 90 days after the adjournment of the ~~Second~~ First Regular Session of the ~~123rd~~ 124th Legislature. The Public Utilities Commission shall monitor the district's use of the authority granted under this section and shall report to the joint standing committee of the Legislature having jurisdiction over utilities matters no later than January 15, ~~2008~~ 2009 on its findings and recommendations regarding continuation of this authority. The joint standing committee of the Legislature having jurisdiction over utilities matters may ~~report out a bill~~ submit legislation on the subject matter of this section to the ~~Second~~ First Regular Session of the ~~123rd~~ 124th Legislature.

See title page for effective date.

CHAPTER 9
H.P. 594 - L.D. 776

**An Act To Establish the
Operating Budget for the
Maine State Retirement
System for the Fiscal Year
Ending June 30, 2008**

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 might 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 might become due and payable before the 90-day period terminates; 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. Operating expenses of the Maine State Retirement System for the fiscal year ending June 30, 2008 must be paid from the system's Expense Fund in accordance with the following schedule.

MAINE STATE RETIREMENT SYSTEM	2007-08	2008-09
Personal Services	\$7,560,252	\$0

All Other	\$3,398,057	\$0
TOTAL ALLOCATIONS	\$10,958,309	\$0

Sec. 2. Attribution of costs. The expenses identified in section 1 are charged to the Maine State Retirement System's participating employers as follows.

MAINE STATE RETIREMENT SYSTEM	2007-08	2008-09
State of Maine	\$8,985,814	\$0
Participating Local Districts	\$1,972,495	\$0
MAINE STATE RETIREMENT SYSTEM TOTAL ATTRIBUTIONS	\$10,958,309	\$0

Sec. 3. Transfers of allocation; 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. Collective bargaining agreements approval. The latest collective bargaining agreements previously approved by the Legislature expired on October 31, 2006. Successor bargaining is underway. The allocations made in section 1 of this Act and the attributions made in section 2 of this Act do not include any amounts that might be required to fund the new collective bargaining agreements.

Sec. 5. Authorization to expend unauthorized funds in the Expense Fund. Of the amount authorized to be expended in section 1 of this Act for the administrative operating costs of the Maine State Retirement System, \$600,000 will be provided from the system's Expense Fund established in the Maine Revised Statutes, Title 5, section 17301.

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

Effective May 10, 2007.

CHAPTER 10

H.P. 974 - L.D. 1382

An Act To Create a Utility District in Edgcomb

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

Sec. 1. Territorial limits; corporate name, purpose. The inhabitants and territory of the Town of Edgcomb constitute a body politic and corporate under the name of Edgcomb Utility District, referred to in this Act as "the district," for the purpose of supplying the Town of Edgcomb and the inhabitants and others of the district with pure water for domestic, sanitary, commercial, industrial, agricultural and municipal purposes and for the purpose of supplying the town and inhabitants and others within the territory of the district with sewer services.

Sec. 2. Powers and authority as water utility. Except as otherwise expressly provided in this charter, the district, for the purposes of performing the functions of a water utility, has all the powers, rights, privileges and authority and is subject to all the requirements and restrictions of a standard water district under the Maine Revised Statutes, Title 35-A, chapter 64.

Sec. 3. Powers as sewer district. Except as otherwise expressly provided in this charter, the district, for the purposes of supplying the town and inhabitants and others within the territory of the district with sewer services, has all the powers, rights, privileges and authority and is subject to all the requirements and restrictions of a sanitary district formed under the Maine Revised Statutes, Title 38, chapter 11, except that sections 1062, 1101, 1102, 1103, 1104, 1105, 1106 and 1162 do not apply to the district.

Sec. 4. Additional powers. The district has the authority to contract with other water districts, sewer districts and sewer departments for the provision of water service and wastewater treatment.

Sec. 5. Contracts of town. All water and wastewater contracts and leases and any other obligations between the Town of Edgcomb and any person, firm or corporation relating to supplying water or sewer services that are in effect on the date of the transfer pursuant to section 9 by the Town of Edgcomb to the district are assumed and carried out by the district.

Sec. 6. Number of trustees. The board of trustees of the district is composed of 3 trustees. A trustee must be at least 18 years of age and a registered voter of the Town of Edgcomb.

Sec. 7. First board. The first board is appointed by the municipal officers of the Town of Edgcomb in accordance with this Act. The terms of the first board are governed by the Maine Revised Statutes, Title 35-A, section 6410.

Sec. 8. Terms of trustees. After the appointment of the first board of trustees of the district, trustees are appointed to 3-year terms.

Sec. 9. Acquisition of property of Town of Edgcomb. The district, through its trustees, may