

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 2016 to August 2, 2017

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
NOVEMBER 1, 2017

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2017

tion 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 the 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 2018 that are necessary for capital expenditures and reserves and to meet the requirements of any resolution authorizing bonds of the Maine Turnpike Authority during 2018, including debt service and the maintenance of reserves for debt service and reserve maintenance, is submitted.

Turnpike Revenue Bond Resolution Adopted April 18, 1991; Issuance of Bonds Authorized Pursuant to the Maine Revised Statutes, Title 23, section 1968, subsection 1 and former subsection 2	2018
Debt Service Fund	\$33,520,903
Reserve Maintenance Fund	37,000,000
General Reserve Fund, to be applied as follows:	
Capital Improvements	23,068,314
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	3,702,300
TOTAL	\$97,291,517

See title page for effective date.

CHAPTER 4

H.P. 191 - L.D. 258

An Act To Amend the Charter of the Southwest Harbor Water and Sewer District

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

Sec. 1. P&SL 2015, c. 11, §14, first ¶ is amended to read:

All the affairs of the district must be managed by a board of ~~3~~ 5 trustees. One of the trustees must be the town manager for the Town of Southwest Harbor. If the town manager position is vacated and in the absence of an acting town manager, the board of selectmen shall appoint a resident of the Town of Southwest Harbor to serve as a trustee until the town manager position is filled. The remaining ~~2~~ 4 trustees must be residents of the Town of Southwest Harbor who are appointed by the board of selectmen. No member of the board of selectmen may, during the term for which the member is elected, be appointed as a trustee of the district. The appointed trustees shall hold office for terms of 3 years and until their respective successors are appointed and qualified. Upon appointment of the first board, the board of selectmen shall determine the terms of the ~~2~~ appointed trustees.

Sec. 2. First terms. Notwithstanding Private and Special Law 2015, chapter 11, section 14, the board of selectmen of the Town of Southwest Harbor shall establish the first terms of each of the 2 additional trustees appointed to the board of trustees of the Southwest Harbor Water and Sewer District pursuant to this Act as follows: one trustee for a term of one year and one for a term of 2 years.

See title page for effective date.

CHAPTER 5

S.P. 343 - L.D. 1037

An Act To Provide for the 2017 and 2018 Allocations of the State Ceiling on Private Activity Bonds

Emergency preamble. Whereas, acts and resolves 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 2015, chapter 13 make a partial allocation of the state ceiling on private activity bonds to some issuers for calendar year 2017 but leave a portion of the state ceiling unallo-

cated 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 must be delayed due to the 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 the Treasurer of State. The \$5,000,000 of the state ceiling on private activity bonds for calendar year 2017 previously allocated to the Treasurer of State remains 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 2017. Five million dollars of the state ceiling for calendar year 2018 is allocated to the Treasurer of State to be used or reallocated in accordance with Title 10, section 363, subsection 5.

Sec. 2. Allocation to the Finance Authority of Maine. The \$40,000,000 of the state ceiling on private activity bonds for calendar year 2017 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 2017. An additional \$45,000,000 of the state ceiling on private activity bonds for calendar year 2017, previously unallocated, is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 6. Forty million dollars of the state ceiling for calendar year 2018 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 the Maine Municipal Bond Bank. The \$10,000,000 of the state ceiling on private activity bonds for calendar year 2017 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 2017. Ten million dollars of the state ceiling for calendar year 2018 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 the Finance Authority of Maine as successor to the Maine Educational Loan Authority. The \$15,000,000 of the state ceiling on private activity bonds for calendar year 2017 previously allocated to the Finance Authority of Maine as successor to the Maine Educational Loan Authority remains allocated to the Finance Authority of Maine to be used or reallocated in accordance with Public Law 2015, chapter 170 and with the Maine Revised Statutes, Title 10, section 363, subsection 8 for calendar year 2017. Fifteen million dollars of the state ceiling for calendar year 2018 is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 8.

Sec. 5. Allocation to the Maine State Housing Authority. The \$50,000,000 of the state ceiling on private activity bonds for calendar year 2017 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 2017. Fifty million dollars of the state ceiling for calendar year 2018 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. One hundred forty million three hundred fifteen thousand dollars of the state ceiling on private activity bonds for calendar year 2017 is unallocated and must be reserved for future allocation in accordance with applicable laws. One hundred eighty-five million five hundred fifteen thousand dollars of the state ceiling for calendar year 2018 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 legislation takes effect when approved.

Effective May 12, 2017.

CHAPTER 6

S.P. 331 - L.D. 992

An Act To Authorize Moving the Town Line between Baileyville and Baring Plantation

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

Sec. 1. Incorporation. The territory consisting of all portions of Park Road and the Baileyville Commercial Park now in Baring Plantation, Washington County, is separated and set off from Baring Plan-