

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

FIRST REGULAR SESSION
December 2, 2020 to March 30, 2021

FIRST SPECIAL SESSION
April 28, 2021 to July 19, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 18, 2021

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

Augusta, Maine
2021

and maintain pipes and aqueducts necessary for the proper accumulating, conducting, discharging, distributing and disbursing of water, and forming proper reservoirs therefor. The district may take and hold by purchase or otherwise any lands, or real estate necessary therefor, may excavate through any lands when necessary for the purposes of the district and may purchase water from another water district.

Sec. 4. Trustees. Except as otherwise provided in this section, the board of trustees of the district is composed of 5 trustees governed and elected in accordance with the Maine Revised Statutes, Title 35-A, section 6410. A trustee must be a resident of the district and a legal voter and may not be a municipally elected official. Trustees serving on the board of the district on the effective date of this Act continue to serve until their terms expire. Two additional trustees must be elected after the effective date of this Act, one trustee for a term of one year and one trustee for a term of 2 years. A trustee must be chosen by ballot, including by absentee or mail-in ballot, by the legal voters within the district. Whenever the term of office of a trustee expires or to otherwise fill an unoccupied office of trustee, the legal voters of the district shall elect a successor to serve for a full term of 3 years, and if any other vacancy occurs it may be filled in like manner for the unexpired term. In the event of a tied vote, a run-off election must be conducted pursuant to Title 30-A, section 2528, subsection 10 within 6 weeks of the election, with 30 days' public notice, and the incumbent, if any, continues to hold office until the election is decided.

Sec. 5. Continuance of district; contracts. This Act updates the charter of the district. The district is neither dissolved, replaced nor transferred to any other entity by this Act. All contracts existing on the effective date of this Act between the district as established by Private and Special Law 1907, chapter 424, as amended, and any persons or corporations or the United States Government for supplying water within the district and any remaining portion of the Town of Kittery, the Town of Eliot, the Town of York or other adjoining town remain contracts of the district under this Act. Except as otherwise expressly provided, nothing in this Act affects the outstanding debts, obligations, liabilities and responsibilities of the district or any plants, properties, assets, franchises, rights, privileges and operations of the district, including, without limitation, lands, buildings, waters, water rights, springs, wells, reservoirs, tanks, standpipes, mains, pumps, pipes, machinery, fixtures, hydrants, meters, services, tools, equipment, apparatus, appliances and appurtenances used or useful in supplying water for domestic, commercial, industrial, municipal and governmental purposes, in possession of the district, established by Private and Special Law 1907, chapter 424, as amended.

Sec. 6. P&SL 1907, c. 424, as amended, is repealed.

Sec. 7. P&SL 1909, c. 109, as amended, is repealed.

Sec. 8. P&SL 1911, c. 2, as amended, is repealed.

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

Effective June 8, 2021.

CHAPTER 3

S.P. 54 - L.D. 123

An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2022

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

Sec. 1. Allocation. Gross revenues of the Maine Turnpike Authority for the calendar year ending December 31, 2022 must be segregated, apportioned and disbursed as designated in the following schedule.

MAINE TURNPIKE AUTHORITY	2022
Administration	
Personal Services	\$1,309,210
All Other	1,694,050
TOTAL	\$3,003,260
Accounts and Controls	
Personal Services	\$3,460,126
All Other	1,580,310
TOTAL	\$5,040,436
Highway Maintenance	
Personal Services	\$4,982,887
All Other	3,621,426
TOTAL	\$8,604,313
Equipment Maintenance	
Personal Services	\$1,293,660
All Other	2,629,234
TOTAL	\$3,922,894
Fare Collection	
Personal Services	\$10,982,571

All Other	4,432,852
TOTAL	\$15,415,423
Public Safety and Special Services	
Personal Services	\$642,640
All Other	7,612,755
TOTAL	\$8,255,395
Building Maintenance	
Personal Services	\$716,688
All Other	667,567
TOTAL	\$1,384,255
Subtotal of Line Items Budgeted	\$45,625,976
General Contingency - 10% of line items budgeted for 2022 (10% allowed)	\$4,562,598
MAINE TURNPIKE AUTHORITY	
TOTAL REVENUE FUNDS	\$50,188,574

Sec. 2. Transfer of allocations. Any balance of the 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 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 2022 that are necessary for capital expenditures and reserves and to meet the requirements of any resolution authorizing bonds of the Maine Turnpike Authority during 2022, including debt service and the maintenance of reserves for debt service and reserve maintenance, is submitted.

Turnpike Revenue Bond	2022
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	\$41,243,000
Reserve Maintenance Fund	40,000,000
General Reserve Fund, to be applied as follows:	
Capital Improvements	20,678,953
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	2,446,000
TOTAL	\$104,367,953

See title page for effective date.

CHAPTER 4

H.P. 329 - L.D. 453

An Act To Establish a Permanent Appointment of a Member of the Wabanaki Tribes to the Board of Trustees of the University of Maine System

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

Sec. 1. P&SL 1865, c. 532, §4, sub-§2, as amended by PL 1983, c. 799, §4, is further amended to read:

2. Members appointed by the Governor. Fourteen members ~~shall~~ must be appointed for 5-year terms by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over education matters and confirmation by the Legislature. Each term ~~shall expire~~ expires on May 26th of the appropriate year, except that the retiring member ~~shall~~