

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

SECOND SPECIAL SESSION
September 29, 2021

SECOND REGULAR SESSION
January 5, 2022 to May 9, 2022

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 29, 2021

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 8, 2022

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

Augusta, Maine
2022

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

Effective pending referendum.

CHAPTER 17

H.P. 1403 - L.D. 1892

An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2023

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, 2023 must be segregated, apportioned and disbursed as designated in the following schedule.

MAINE TURNPIKE AUTHORITY	2023
Administration	
Personal Services	\$1,401,768
All Other	1,685,209
TOTAL	\$3,086,977
Accounts and Controls	
Personal Services	\$3,595,513
All Other	1,578,047
TOTAL	\$5,173,560
Highway Maintenance	
Personal Services	\$5,546,303
All Other	4,045,589
TOTAL	\$9,591,892
Equipment Maintenance	
Personal Services	\$1,416,010
All Other	2,784,987
TOTAL	\$4,200,997
Fare Collection	
Personal Services	\$10,780,810
All Other	3,681,171
TOTAL	\$14,461,981

Public Safety and Special Services

Personal Services	\$650,789
All Other	8,328,658
TOTAL	\$8,979,447

Building Maintenance

Personal Services	\$783,064
All Other	719,570
TOTAL	\$1,502,634

Subtotal of Line Items Budgeted \$46,997,488

General Contingency - 10% of line items budgeted for 2023 (10% allowed) \$4,699,749

MAINE TURNPIKE AUTHORITY

TOTAL REVENUE FUNDS **\$51,697,237**

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 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 rev-

enues in 2023 that are necessary for capital expenditures and reserves and to meet the requirements of any resolution authorizing bonds of the Maine Turnpike Authority during 2023, including debt service and the maintenance of reserves for debt service and reserve maintenance, is submitted.

Turnpike Revenue Bond	2023
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	\$41,954,000
Reserve Maintenance Fund	40,000,000
General Reserve Fund, to be applied as follows:	
Capital Improvements	36,169,011
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	2,442,000
TOTAL	<u>\$120,565,011</u>
See title page for effective date.	

CHAPTER 18
S.P. 686 - L.D. 1949

An Act To Amend the Caribou Utilities District Charter To Include Broadband Services

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

Sec. 1. P&SL 1945, c. 83, §1, as corrected by RR 2009, c. 1, §33, is amended to read:

Sec. 1. Territorial limits and corporate name and purposes. The inhabitants and territory within the City of Caribou in the County of Aroostook constitute a body politic and corporate under the name of the Caribou Utilities District, referred to in this Act as "the district," for the ~~purpose~~ purposes of supplying the City of Caribou and the inhabitants of the city or any part of the city with pure water for domestic, commercial, sanitary and municipal purposes, including the extinguishment of fires, ~~and~~ of supplying the City of Caribou and the inhabitants of the city or any part of the city with suitable and adequate sewerage facilities and of providing broadband services pursuant to section 22.

Sec. 2. P&SL 1945, c. 83, §22 is enacted to read:

Sec. 22. Broadband services. This section governs broadband services provided by the district.

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Broadband services" includes both broadband services and Internet services as those terms are used in the Maine Revised Statutes, Title 30-A, section 2203, subsection 9.

B. "Business investment group" means a nonprofit entity exempt from federal income taxation pursuant to the United States Internal Revenue Code of 1986, Section 501(c)(3) that is incorporated in the City of Caribou for the purpose of promoting local economic development.

C. "Caribou economic growth council" means a nonprofit corporation exempt from federal income taxation pursuant to the United States Internal Revenue Code of 1986, Section 501(c)(6) that administers its programming using the City of Caribou's director of economic and community development.

D. "Municipality" means any unit of municipal government, including towns, cities, plantations and unorganized territories.

E. "Open-access fiber-optic network" or "network" means an open-access dark fiber network that provides broadband services throughout the district.

F. "User" includes but is not limited to a resident, business, nonprofit organization or government entity located within the district.

2. Powers. The district may:

A. Obtain, by mutual agreement, a detailed engineering or technical design for an open-access fiber-optic network from the business investment group, Caribou economic growth council or City of Caribou;

B. Construct, operate and maintain a network;

C. Apply for all licenses and permits required to provide all services authorized under this section;

D. Own land, and own, construct, manage and maintain associated facilities, necessary to provide broadband services by means of a network, including, but not limited to, a so-called headend facility and office necessary for the operation of the network. The district may transfer properties and issue easements required for those facilities;

E. Enter any contracts associated with providing broadband services for users and associated with designing, constructing, maintaining, replacing,