

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**September 27, 2011**

**SECOND REGULAR SESSION**  
**January 4, 2012 to May 31, 2012**

**THE EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**LAWS IS**  
**SEPTEMBER 28, 2011**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 30, 2012**

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

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**Augusta, Maine**  
**2012**

TOTAL

\$93,247,590

See title page for effective date.

**CHAPTER 22****S.P. 580 - L.D. 1681****An Act To Amend the Charter  
of the Lucerne-in-Maine  
Village Corporation**

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

**Whereas**, this legislation makes changes to the qualifications for membership on the Board of Overseers of the Lucerne-in-Maine Village Corporation; and

**Whereas**, the Board of Overseers of the Lucerne-in-Maine Village Corporation holds its meeting in the summer and the changes made by this legislation may not take effect before the date of the meeting if this legislation is not enacted as an emergency; 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. P&SL 1927, c. 43, §7-A, first ¶**, as enacted by P&SL 1983, c. 42, §7, is amended to read:

**Sec. 7-A. Officers; adoption of bylaws; officers to be sworn; treasurer to give bond; budget committee established.** The officers of the corporation ~~shall be~~ are a board of 3 overseers, a treasurer, a clerk and such other officers as the bylaws of the corporation may require. The Board of Overseers, when elected as provided ~~below in this section,~~ below in this section, shall ~~forthwith proceed to~~ forthwith proceed to appoint a treasurer, and a clerk to serve at ~~their pleasure~~ the pleasure of the board. ~~Any nonresident officers shall be permanent residents of an area included within a radius of 25 miles of the fire station at Lucerne in Maine.~~ Officers shall serve until their successors ~~have been~~ are sworn and duly qualified.

**Sec. 2. P&SL 1927, c. 43, §7-A, 4th ¶**, as enacted by P&SL 1983, c. 42, §7, is repealed.

**Sec. 3. P&SL 1927, c. 43, §7-A, 5th ¶**, as amended by P&SL 1997, c. 24, §1, is repealed and the following enacted in its place:

Commencing at any summer meeting in 2012 and for each year thereafter, any legal voter of the village corporation may be elected for a 3-year term as an overseer. A person may run for the office of overseer for as many terms as that person is nominated. When a seat becomes vacant, the Board of Overseers shall hold an election for that seat, establishing a term that ensures that one seat expires each calendar year. If an overseer resigns from office prior to the summer meeting, the remaining members of the Board of Overseers shall appoint an overseer to fill the position until the next summer meeting. At the first Board of Overseers' meeting following each summer meeting, the board shall choose a chair for the ensuing year.

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

Effective March 8, 2012.

**CHAPTER 23****S.P. 593 - L.D. 1733****An Act To Provide for the 2012  
and 2013 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 2007, chapter 18 make a partial allocation of the state ceiling on private activity bonds to some issuers for calendar year 2012, but leave a portion of the state ceiling unallocated 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 it is not enacted on an emergency basis; and

**Whereas**, if these bond issues are delayed due to 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 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 2012 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 2012. Five million dollars of the state ceiling for calendar year 2013 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 2012 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 2012. Forty million dollars of the state ceiling for calendar year 2013 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 2012 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 2012. Ten million dollars of the state ceiling for calendar year 2013 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 Maine Educational Loan Authority.** The \$20,000,000 of the state ceiling on private activity bonds for calendar year 2012 previously allocated to the Maine Educational Loan Authority is modified so that \$15,000,000 is allocated to the Maine Educational Loan Authority to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 8 for calendar year 2012. Fifteen million dollars of the state ceiling for calendar year 2013 is allocated to the Maine Educational Loan Authority to be used or reallocated in accordance with Title 10, section 363, subsection 8.

**Sec. 5. Allocation to the Maine State Housing Authority.** No portion of the state ceiling on private activity bonds for calendar year 2012 was previously 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 2012. Fifty million dollars of previously unallocated state ceiling for calendar year 2012 is allocated to the Maine State Housing Author-

ity to be used or reallocated in accordance with Title 10, section 363, subsection 4 for calendar year 2012. Fifty million dollars of the state ceiling for calendar year 2013 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 sixty-four million five hundred sixty thousand dollars of the state ceiling on private activity bonds for calendar year 2012 is unallocated and must be reserved for future allocation in accordance with applicable laws. One hundred sixty-four million five hundred sixty thousand dollars of the state ceiling for calendar year 2013 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 March 14, 2012.

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**CHAPTER 24**

**S.P. 530 - L.D. 1620**

**An Act To Amend the Charter  
of the Ogunquit Sewer District**

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

**Sec. 1. P&SL 1963, c. 87, §1,** as amended by P&SL 2001, c. 19, §2, is further amended to read:

**Sec. 1. Territorial limits; incorporation; purposes.** The inhabitants and territory within the Town of Ogunquit in York County constitute a public sewerage district and a body politic and corporate under the name of "Ogunquit Sewer District." The purpose of the district, subject to the provisions of section 10, is to take over, control, operate and manage the sanitary sewer system previously owned by the Town of Ogunquit and as further improved and expanded by the Ogunquit Sewer District with all appurtenances thereto; to extend, increase, enlarge and improve the sewer system; to extend the present system or systems so as to furnish sewerage facilities to those parts of the district and, as determined appropriate by the trustees of the district, to parts of adjoining municipalities not now served with such facilities; to provide for removal and treatment of sewage when, as and if such treatment becomes necessary; and generally to construct, maintain, operate and provide a system of sewerage sewage collection and pumping, sewage disposal and sewage treatment for public purposes and for the health, welfare, comfort and convenience of the inhabitants of the district.