

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 1578

In Senate, May 28, 1963
Proposed by Senator Whittaker of Penobscot and printed pursuant to Senate Rule No. 11A.

CHESTER T. WINSLOW, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

SENATE AMENDMENT "A" to H. P. 541, L. D. 758, Bill, "An Act Amending the Charter of the City of Portland Concerning Election Districts."

Amend said Bill by striking out all of the title and inserting in place thereof the following title: 'An Act Relating to Election Districts in City of Portland and Urban Renewal in Portland and Bangor and Clarifying Borrowing Capacity of City of Biddeford.'

Further amend said Bill by inserting at the beginning of the first line the underlined abbreviation and figure 'Sec. 1.'

Further amend said Bill by adding at the end thereof the following sections:

"**Sec. 2. P. & S. L., 1957, c. 168, § 7, amended.** The first paragraph of section 7 of chapter 168 of the private and special laws of 1957 is amended by adding after the 2nd sentence, a new sentence, as follows:

'A sale or lease price may be lower than the use value of such property if the sale or lease is to a public agency to be used for public purposes.'

Sec. 3. P. & S. L., 1957, c. 168, § 15, amended. Section 15 of chapter 168 of the private and special laws of 1957 is amended by adding at the end, a new paragraph as follows:

'Nothing contained in this section shall be construed to prohibit the authority from making payments in lieu of taxes to the municipality, and such payments are hereby authorized.'

Sec. 4. P. & S. L., 1951, c. 217, § 7, sub-§ (a), amended. Subsection (a) of section 7 of chapter 217 of the private and special laws of 1951 is amended by adding after the 2nd sentence, a new sentence, as follows:

'A sale or lease price may be lower than the use value of such property if the sale or lease is to a public agency to be used for public purposes.'

Sec. 5. P. & S. L., 1951, c. 217, § 15, sub-§ (c), additional. Section 15 of chapter 217 of the private and special laws of 1951 is amended by adding a new subsection (c), as follows:

'(c) Nothing contained in this section shall be construed to prohibit the authority from making payments in lieu of taxes to the municipality, and such payments are hereby authorized.'

Sec. 6. P. & S. L., 1933, c. 66, § 1, amended. Section 1 of chapter 66 of the private and special laws of 1933 is hereby amended to read as follows:

'Sec. 1. Incorporation of Biddeford continued. The inhabitants of the City of Biddeford, in the County of York, shall continue to be a body politic and corporate by the name of the City of Biddeford; and as such shall have, exercise and enjoy all the rights, immunities, powers, privileges and franchises, and be subject to all the duties and obligations now appertaining to, or incumbent upon, the City of Biddeford as heretofore enjoyed and obligated therefor provided for herein, or otherwise pertaining to or incumbent upon said city as a municipal corporation; and may ordain and publish such acts, laws and regulations not inconsistent with the Constitution and laws of this State, as shall be needful to the good order of said body politic; and impose fines and penalties for the breach thereof, not exceeding \$20 for any one offense, which may be recovered to the use of said city, by civil action of debt, or on complaint before the municipal court of said city.'

Sec. 7. P. & S. L., 1933, c. 66, § 2, amended. The 4th and 5th sentences of section 2 of chapter 66 of the private and special laws of 1933 are amended to read as follows:

'All powers now vested in the common council or board of aldermen, or jointly in said common council and board of aldermen, by chapter 408 of the private and special laws of 1855 and acts amendatory thereof and additional thereto, shall vest in the city council: provided, the city council shall not vote, assess or appropriate any money for any object or purpose for which the city of Biddeford is not now authorized by this act. And provided further, that neither the city council, nor any agent or officer of the city, shall borrow or hire any money for or on account of the city, or inhabitants thereof, except for the purposes for which the city of Biddeford is now by law authorized to raise money; and all notes, bonds, obligations, scrip or orders given by the city council, or any officer or agent thereof, for money or property obtained for any other purpose, shall be void.'

Sec. 8. P. & S. L., 1933, c. 66, § 24, repealed and replaced. Section 24 of chapter 66 of the private and special laws of 1933 is repealed and the following enacted in place thereof:

'Sec. 24. Bond issues. The City of Biddeford is authorized to borrow money, within the limits fixed by the Constitution and Statutes of the State now or hereafter applying to said city, by the issue and sale of bonds or notes pledged

on the credit of the city, the proceeds to be used: For the acquisition of land, the construction and equipment of public buildings and other permanent public improvements, the acquisition of departmental equipment of a permanent nature, the extraordinary repair, remodeling or reconstruction of public buildings, the payment or refunding of bonds, notes or certificates of indebtedness previously issued, including notes issued in anticipation of receipts from taxes, the consolidation of designated debts or liabilities of the city not payable out of money raised or to be raised in the current financial year, or for any other purpose for which said city is authorized to borrow by general or special law. No order providing for the issue of bonds shall be passed without public notice given by posting notice of the same in 2 public places in the City of Biddeford and publishing said notice in at least one daily newspaper circulated in said Biddeford at least 10 days before final action by the city council. Every issue of bonds shall be payable within a fixed term of years; if said bonds are issued in payment of indebtedness incurred for a permanent public improvement the term of such bonds shall not exceed the estimated period of utility of said improvement but the declaration of the city council embodied in the order authorizing the issue shall be a conclusive determination of the estimated period of utility thereof; and the term within which all bonds shall be made payable shall in no case exceed 20 years, except that the term within which bonds issued to consolidate designated debts or liabilities of the city as hereinabove authorized shall be made payable shall in no case exceed 10 years. Bonds shall be made payable as pertains to interest semiannually and as pertains to principal in equal or diminishing annual serial installments, provided that the first such installment shall be not later than 2 years after the date of said bonds. Bonds issued hereunder, unless the order authorizing the issue shall otherwise specify, shall be signed by the mayor and the city treasurer, either of whom may be authorized to sign by facsimile signature, and may be in coupon form, registrable as to principal or fully registered and, if in coupon form, the coupons shall be signed with the facsimile signature of the city treasurer. Every order for the issue of bonds shall provide for a tax levy for each year of an amount necessary to meet the payment of the annual, serial installment of principal and interest; and such amounts shall be included in the tax levy for each year until the debt is extinguished.

Sec. 9. P. & S. L., 1933, c. 66, § 24-A, additional. Chapter 66 of the private and special laws of 1933 is amended by adding a new section 24-A, to read as follows:

“Sec. 24-A. Temporary loans. Money may be borrowed in anticipation of receipts from taxes during any financial year but the aggregate amount of such loans outstanding at any one time shall not exceed 80% of the revenue received from taxes during the preceding financial year. All such loans shall be paid within the year out of receipts from taxes for the financial year in which said loans are made. Money may be borrowed in anticipation of money to be received from the sale of bonds to be issued, in case such bond issue has been authorized; all such loans shall be paid within one year and are subject to the provisions of the laws of the State of Maine in relation thereto.”