

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1117

S. P. 331

In Senate, March 19, 1975

Referred to Committee on Legal Affairs. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Conley of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Concerning the Acquisition, Maintenance and Replacement of Multi-level Private Parking Facilities under the Municipal Securities Approval Act.

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

Sec. 1. 30 MRSA § 5325, sub-§ 1, as last amended by PL 1971, c. 210, § 1, is repealed and the following enacted in place thereof:

1. Revenue-producing industrial-commercial, pollution-control or recreational projects and multi-level parking facility. To acquire, construct, reconstruct, renew and replace industrial-commercial, pollution-control, recreational and combined projects, and multi-level private parking facilities within or partly within the corporate limits of the municipality;

Sec. 2. 30 MRSA § 5325, sub-§ 4, as last amended by PL 1971, c. 210, § 1, is repealed and the following enacted in place thereof:

4. Acquisition of property. The municipal officers are authorized and empowered to acquire from funds provided under the authority of this chapter such lands, structures, property, rights, rights-of-way, franchises, easements and other interests in lands, including lands lying under water and riparian rights, which are located within the State as it may deem necessary or convenient for the construction or operation of any industrial-commercial, pollution-control, recreational or combined project, and any multi-level private parking facility upon such terms and conditions as they shall deem reasonable and proper, and to dispose of any of the foregoing in the exercise of its powers and the performance of its duties under this chapter;

Sec. 3. 30 MRSA § 5325, sub-§§ 6 and 7, as last amended by PL 1971, c. 618, § 12, are repealed and the following enacted in place thereof:

6. **Government contracts.** To enter into contracts with the State or the Federal Government or any agency or instrumentality thereof, or with any other municipality providing for or relating to an industrial-commercial, pollution-control, recreational or combined facility, or a multi-level private parking facility; provided, in the case of contracts with the Federal Government involving pollution-control facilities, that the consent of the Board of Environmental Protection is first obtained, such board being authorized to grant such consent notwithstanding Title 38, section 362;

7. **Government aid.** To accept from any authorized agency of the State or the Federal Government loans or grants for the planning, construction or acquisition of any industrial-commercial, pollution-control, recreational or combined facility or any multi-level private parking facility and to enter into agreements with such agency respecting any such loans or grants, and to receive and accept aid and contributions from any source of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which such loans, grants and contributions may be made; provided, in the case of loans, grants or other aid from the Federal Government involving pollution-control facilities that the consent of the Board of Environmental Protection is first obtained, such board being authorized to grant such consent notwithstanding Title 38, section 362; and

Sec. 4. 30 MRSA § 5331, sub-§ 1, first sentence, as last amended by PL 1973, c. 633, § 21, is further amended to read:

Upon receipt of the certificate of approval from the authority as provided in section 5328, the municipal officers of any municipality are authorized to provide by resolution, at one time or from time to time, for the issuance of revenue obligation securities of the municipality for the purpose of paying the cost of acquiring, constructing, reconstructing, renewing or replacing any revenue-producing industrial-commercial, pollution-control, recreational or combined project, or a multi-level private parking facility, provided no revenue obligation securities of a municipality shall be issued until the general purpose or purposes for which the securities are to be issued and the maximum principal amount of such securities to be authorized have been approved by ballot by a majority of the votes cast on the question and the number of votes cast is at least 20% of the total vote for all candidates for Governor cast in the municipality at the last gubernatorial election.

Sec. 5. 30 MRSA § 5340, as last amended by PL 1973, c. 315, § 4, is repealed and the following enacted in place thereof:

§ 5340. Leasehold or other interests of lessee taxable

The leasehold or other interest of the lessee of any industrial-commercial, pollution-control, recreational or combined project or any multi-level private parking facility is subject to taxation in the manner provided for similar interests in Title 36, section 551, subject to Title 36, sections 655 and 656.

Sec. 6. 30 MRSA § 5341, as last amended by PL 1971, c. 210, § 17, is repealed and the following enacted in place thereof:

§ 534I. Purpose

It is declared that there is a state-wide need for industrial-commercial, pollution-control, recreational and combined projects, and for multi-level private parking facilities to provide enlarged opportunities for gainful employment by the people, to restore purity to the air, the water or the earth of the State which are fouled with, among other things, industrial and other waste materials and pollutants, to more adequately serve the working people of this State, and to provide a more healthy environment and thus to insure the preservation and betterment of the economy of the State and the living standards and health of its inhabitants.

STATEMENT OF FACT

This bill will authorize municipalities to acquire, construct, reconstruct, renew and replace multi-level private parking facilities within or partly within the corporate limits of the municipality in order to more adequately serve the public.