

# 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 electronic originals  
(may include minor formatting differences from printed original)

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

**AS PASSED BY THE**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**SECOND REGULAR SESSION**

**January 5, 1994 to April 14, 1994**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 14, 1994**

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

---

---

**J.S. McCarthy Company**  
**Augusta, Maine**  
**1993**

"Do you favor expanding the powers of the Great Salt Bay Sanitary District to allow the district to provide water utility services within the district?"

The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

The results must be declared by the municipal officers of the Town of Nobleboro, the Town of New-castle and the Town of Damariscotta and the due certificate of the results filed by the clerks with the Secretary of State.

This Act takes effect for all purposes immediately upon its acceptance by a majority of the legal voters in the district voting at the special election. Failure of the approval by the necessary majority of voters at any such election does not prevent a subsequent election or elections from being held for that purpose prior to December 31, 1994.

Effective pending referendum.

---



---

## CHAPTER 86

H.P. 1449 - L.D. 1978

**An Act Authorizing the Kennebec County Commissioners to Issue Bonds in the Amount of \$1,500,000 for Renovation of the County Court House in Augusta**

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

**Whereas,** the Kennebec County Court House is in need of substantial repairs and improvements; and

**Whereas,** the Kennebec County Budget Committee, the Kennebec County Commissioners and the Kennebec County Legislative Delegation have unanimously approved the request for issuance of bonds in the amount of \$1,500,000 to pay the cost of those repairs and improvements; and

**Whereas,** it is necessary that this legislation be enacted as an emergency measure in order to meet the financing deadlines of the Maine Municipal Bond Bank; 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. Bonds.** To provide funds for repairs and improvements to the Kennebec County Court House located in Augusta, the treasurer of Kennebec County, with the approval of the county commissioners, may borrow from time to time upon the full faith and credit of the county such sums, not exceeding in the aggregate \$1,500,000, as may be necessary and may issue bonds therefor. Each authorized issue is payable in annual installments, beginning no earlier than October 1, 1995, so that each loan will be paid on or before December 31, 2016. The bonds must be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell the securities at public or private sale upon terms and conditions that the county commissioners determine proper but at not less than par and accrued interest.

**Sec. 2. Temporary notes.** The county treasurer, with the approval of the county commissioners, may issue temporary notes of the county, payable in not more than 2 years from their date of issue, in anticipation of the issue of bonds under this Act and may renew the notes. The time within which the bonds become due and payable may not, by reason of the temporary notes, be extended beyond the term fixed by this Act. Any notes issued in anticipation of the bonds must be paid from the proceeds of the bonds.

**Sec. 3. Referendum.** The Kennebec County Commissioners may approve a bond issue for carrying out the purposes of this Act. A bond issue authorized by the county commissioners must be submitted to the voters of Kennebec County for approval.

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

Effective April 12, 1994.

---



---

## CHAPTER 87

H.P. 1474 - L.D. 2002

**An Act to Revise the Authorization of the Towns of Appleton, Camden, Hope, Lincolnville and Rockport to Form a Community School District**

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

**Whereas**, the inhabitants of Appleton, Camden, Hope, Lincolnville and Rockport have indicated in the passing of resolutions and the appropriating of money a desire to form, in 1994, a community school district for the 5 towns and School Administrative District 28 for grades 9 to 12; and

**Whereas**, the 5 towns were authorized to form a community school district by Private and Special Law 1993, chapter 64; and

**Whereas**, on March 15, 1994, the voters of Hope, Camden, Lincolnville and Rockport voted affirmatively to form the district and the voters of Appleton voted against the formation of the district; and

**Whereas**, the Appleton School Board and many voters, including voters who voted against the formation, have expressed a desire to vote a 2nd time; and

**Whereas**, the inhabitants of Hope, Camden, Lincolnville and Rockport may form a community school district for the 4 towns if the voters of Appleton vote a 2nd time against being included in that district or Camden and Rockport and any 2 of the towns of Appleton, Hope and Lincolnville may form the district if only 4 towns approve the cost-sharing formula; and

**Whereas**, the operational school year for the community school district, unless otherwise provided for, will begin July 1st after the organization of the community school district as required by the Maine Revised Statutes, Title 20-A, section 1604; and

**Whereas**, it is in the interest of the 5 towns and School Administrative District 28, which is currently providing education for grades 9 to 12, to have adequate planning and preparatory time to create and put into operation a new community school district with a new school and to ensure an orderly transition consistent with school year and fiscal year requirements and statutory time limits for the conducting of local referenda and elections; 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 1993, c. 64, §10, sub-§1** is amended to read:

**1. Formula approval.** The community school district shall share its costs among the member municipalities beginning July 1, 1995 on the basis of a formula approved by the voters of each of the member municipalities on or before November 15, 1994. The vote must be conducted by secret ballot in accordance with the Maine Revised Statutes, Title 30-A, sections 2528 to 2532. The formula proposal or proposals must be prepared by a cost-sharing committee on which each member municipality is represented by 2 representatives chosen by its municipal officers and one member of each municipality's school committee chosen by the school committee members from that municipality. The proposals for the formula for sharing costs must first be approved by the cost-sharing committee by a vote of a majority of those present and voting. The cost-sharing committee shall make its first proposal after conducting at least 3 public hearings in the district on or before August 1, 1994. The community school district committee shall set the dates for the voting and shall pay for the costs of voting. The meeting must be called, advertised and conducted according to the laws relating to municipal elections, except that the municipal officers of the towns are not required to prepare for posting, nor the town clerks to post, a new list of voters and, for the purpose of registration of voters, the boards of voter registration must be in session on the secular day next preceding the special election. The town clerks of the towns shall prepare the required ballots, on which the town clerks shall reduce the subject matter of this Act to the following question:

"Do you approve the formula for sharing costs among the member municipalities of the community school district as proposed by the cost-sharing committee?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion of the same.

This Act takes effect for all purposes after its acceptance by a majority of the legal voters voting on the question of the cost-sharing formula in each of the 5 towns and the declaration of the Commissioner of Education.

**Sec. 2. P&SL 1993, c. 64, §10, sub-§§1-A and 1-B** are enacted to read:

**1-A. Four-town district approval.** The vote on the cost-sharing formula must have included on the same secret ballot the following question:

"Do you favor joining a 4-town community school district with the towns of Camden and Rockport and 2 of the 3 towns of Appleton, Hope and Lincolnville if the voters of one of the towns of Appleton, Hope and Lincolnville do not

accept the cost-sharing formula and if a new vote on a new formula for the 4 towns is held on or before March 15, 1995?"

This Act takes effect for all purposes except for a cost-sharing formula for a 4-town district after its acceptance by a majority of the legal voters voting on the question of the 4-town district in the towns of Camden and Rockport and in 2 of the 3 towns of Appleton, Hope and Lincolnville if all 5 towns do not accept a cost-sharing formula on or before November 15, 1994 and the declaration of the Commissioner of Education.

**1-B. Four-town formula approval.** If the voters accept a 4-town district on or before November 15, 1994 with the towns of Camden and Rockport and 2 of the 3 of the towns of Appleton, Hope and Lincolnville, the community school district shall share its costs among the member municipalities beginning July 1, 1995 on the basis of a formula approved by the voters of each of the member municipalities on or before March 15, 1995. The vote must be conducted by secret ballot in accordance with the Maine Revised Statutes, Title 30-A, sections 2528 to 2532. The formula proposal must be prepared by a cost-sharing committee on which each member municipality is represented by 2 representatives chosen by its municipal officers and one member of each municipality's school committee chosen by the school committee members from that municipality. The proposal for the formula for sharing costs must first be approved by the cost-sharing committee by a vote of a majority of those present and voting. The cost-sharing committee shall make its proposal after conducting at least 3 public hearings in the district on or before January 15, 1995. The community school district committee shall set the date for the voting and pay for the costs of voting. The meeting must be called, advertised and conducted according to the laws related to municipal elections, except that the municipal officers of the towns are not required to prepare for posting, nor the town clerks to post, a new list of voters and, for the purpose of registration of voters, the boards of voter registration must be in session on the secular day next preceding the special election. The town clerks of the towns shall prepare the required ballots, on which the town clerks shall reduce the subject matter of this Act to the following question:

"Do you approve the formula for sharing costs among the 4 member municipalities of the community school district as proposed by the cost-sharing committee?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion of the same.

This Act takes effect for all purposes after its acceptance by a majority of the legal voters on the question of the cost-sharing formula in each of the 4 towns and the declaration of the Commissioner of Education.

**Sec. 3. P&SL 1993, c. 64, §10, sub-§2** is amended to read:

**2. Failure to approve.** If the voters do not approve a cost-sharing formula on or before ~~November 15, 1994~~ March 15, 1995 or the 4-town district as provided for in sections 22 and 23, the community school district shall sell any interest it has in any real property upon terms approved by the community school district committee and distribute the proceeds, after costs, and the balance of any funds, to the member municipalities in proportion to each municipality's contribution; all personal property must be transferred to School Administrative District 28, and the community school district shall dissolve ~~on June 30, 1995~~ upon the distribution of the real property proceeds.

**Sec. 4. P&SL 1993, c. 64, §11, first ¶** is amended to read:

**Sec. 11. Budget approval.** The procedure for preparing a budget starting in ~~1995~~ 1996 is as follows.

**Sec. 5. P&SL 1993, c. 64, §20** is amended to read:

**Sec. 20. Emergency clause; referendum; effective date.** In view of the emergency cited in the preamble, this Act takes effect when approved only for the purpose of permitting its submission to the legal voters of the Towns of Appleton, Camden, Hope, Lincolnville and Rockport. A special town meeting must be called and held in each municipality for the purpose on March 15, 1994. A special town meeting may be called and held in the Town of Appleton for the purpose on or before May 3, 1994. ~~The meeting~~ Any special town meeting must be called, advertised and conducted according to the laws related to municipal elections, except that the municipal officers of the towns are not required to prepare for posting, nor the town clerks to post, a new list of voters and, for the purpose of registration of voters, the boards of voter registration must be in session on the secular day next preceding the special election. The town clerks of the towns shall prepare the required ballots, on which the town clerks shall reduce the subject matter of this Act to the following question:

"Do you favor joining the community school district for grades 9 to 12 as provided for in the Act to Authorize the Towns of Appleton, Camden, Hope, Lincolnville and Rockport to Form a

Community School District, passed by the 116th Legislature?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion of the same.

This Act takes effect for all purposes excepting a cost-sharing formula after its acceptance by a majority of the legal voters voting on the question in each of the 5 towns and the declaration of the Commissioner of Education.

**Sec. 6. P&SL 1993, c. 64, §§21 to 24** are enacted to read:

**Sec. 21. Alternative authorization.** The inhabitants of the towns of Hope, Lincolnville, Camden and Rockport as members of School Administrative District 28 are authorized to form a community school district in accordance with the Maine Revised Statutes, Title 20-A, chapter 105 and upon the terms of this Act if the voters of the Town of Appleton do not vote to form a community school district on or before May 3, 1994 and sections 1 to 19, this section and sections 22 to 24 apply to this community school district, excepting references to the Town of Appleton.

**Sec. 22. Four-town referendum emergency clause; effective date.** In view of the emergency cited in the preamble, this section takes effect when approved only for the purpose of permitting its submission to the legal voters of the towns of Camden, Hope, Lincolnville and Rockport, if the voters of the Town of Appleton vote not to form the community school district on or before May 3, 1994. A special town meeting must be called and held in each municipality for the purpose on or before November 15, 1994. The meeting must be called, advertised and conducted according to the laws relating to municipal elections, except that the municipal officers of the towns are not required to prepare for posting, nor the town clerks to post, a new list of voters and, for the purpose of registration of voters, the board of voter registration must be in session on the secular day next preceding the special election. The town clerks of the towns shall prepare the required ballots on which the town clerks shall reduce the subject matter of this Act to the following question:

"Do you favor joining the community school district for grades 9 to 12 for the towns of Camden, Hope, Lincolnville and Rockport as provided for in Private and Special Law 1993, chapter 64, as passed by the 116th Legislature?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion of the same.

This Act takes effect for all purposes excepting a cost-sharing formula after its acceptance by a majority of the legal voters voting on the question in each of the 4 towns and the declaration of the Commissioner of Education.

**Sec. 23. Cost-sharing among the towns of Camden, Hope, Lincolnville and Rockport.** The following provisions apply to sharing district costs among the towns of Camden, Hope, Lincolnville and Rockport.

**1. Formula approval.** The community school district shall share its costs among the member municipalities beginning July 1, 1996 on the basis of a formula approved by voters of each of the member municipalities on or before November 15, 1994. The vote must be conducted by secret ballot in accordance with the Maine Revised Statutes, Title 30-A, sections 2528 to 2532. The formula proposal must be prepared by a cost-sharing committee on which each member municipality is represented by 2 representatives chosen by its municipal officers and one member of each municipality's school committee chosen by the school committee members from that municipality. The proposal for the formula for sharing costs must first be approved by the cost-sharing committee by a vote of a majority of those present and voting. The cost-sharing committee shall make its proposal after conducting at least 3 public hearings in the district on or before September 15, 1994. The community school district committee shall set the date for the voting and shall pay for the costs of voting. The meeting must be called, advertised and conducted according to the laws related to municipal elections, except that the municipal officers of the towns are not required to prepare for posting, nor the town clerks to post, a new list of voters and, for the purpose of registration of voters, the boards of voter registration must be in session on the secular day next preceding the special election. The town clerks of the towns shall prepare the required ballots on which town clerks shall reduce the subject matter of this Act to the following question:

"Do you approve the formula for sharing the costs of the community school district among the towns of Camden, Hope, Lincolnville and Rockport as proposed by the cost-sharing committee?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion of the same.

This Act takes effect for all purposes after its acceptance by a majority of the legal voters on the question of the cost-sharing formula in each of the 4 towns and the declaration of the Commissioner of Education.

**2. Failure to approve.** If the voters do not approve a cost-sharing formula on or before March 15, 1995, the community school district shall sell any interest it has in any real property upon terms approved by the community school district committee and distribute the proceeds, after costs, and the balance of any funds to the member municipalities in proportion to each municipality's contribution; all personal property must be transferred to School Administrative District 28, and the community school district shall dissolve upon the distribution of the real property proceeds.

**3. Amendment to formula.** The cost-sharing formula may be amended pursuant to the Maine Revised Statutes, Title 20-A, section 1704.

**Sec. 24. First-year budget; initial organization and elections.** Notwithstanding any law or provision of this Act to the contrary, the community school district is organized upon the issuance of the certificate of organization by the Commissioner of Education. The school boards of the towns of Appleton, Hope and Lincolnville that are municipal members of the district and the Board of Directors of School Administrative District 28, acting as a committee of the whole, are responsible for preparing and approving a budget for the fiscal year beginning July 1, 1995, and preparing and submitting a budget to the voters as authorized by the Maine Revised Statutes, Title 20-A, section 1701 and as modified by the terms of section 11 of this Act, prior to June 1, 1996 for the fiscal year beginning July 1, 1996. The school district committee is responsible for preparing and submitting a budget to the voters in 1997 as authorized by Title 20-A, section 1701 and as modified by the terms of section 11 of this Act for the fiscal year beginning July 1, 1997 and for each year after that fiscal year. The combined boards have the authority to act as the governing body of the district and as the school district committee until July 1, 1995 including the authority to submit an application to the State Board of Education for school construction approval. The first election of the school district committee representatives from the towns of Appleton, Hope and Lincolnville that are municipal members of the district must be conducted in the spring of 1995 at the same time as the election of municipal officers and the term of office begins July 1, 1995.

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

Effective April 12, 1994.

---

## CHAPTER 88

S.P. 700 - L.D. 1898

### An Act to Authorize a General Fund Bond Issue in the Amount of \$2,000,000 for Safety Improvements at the Baxter School for the Deaf

**Preamble.** Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine for safety improvements at the Baxter School for the Deaf.

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

**Sec. 1. Authorization of bonds to provide for funds for safety improvements at the Baxter School for the Deaf.** The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$2,000,000 to raise funds for safety improvements at the Baxter School for the Deaf as authorized by section 6. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 5 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature.

**Sec. 2. Records of bonds issued to be kept by the Treasurer of State.** The Treasurer of State shall keep an account of each bond showing the number of the bond, the name of the successful bidder to whom sold, the amount received for the bond, the date of sale and the date when payable.

**Sec. 3. Sale; how negotiated; proceeds appropriated.** The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which must be held by the Treasurer of State and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in section 6 lapse to the debt service account established for the retirement of these bonds.

**Sec. 4. Interest and debt retirement.** The Treasurer of State shall pay interest due or accruing on any bonds issued under this Act and all sums coming due for payment of bonds at maturity.