

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

SECOND REGULAR SESSION
January 5, 2000 to May 12, 2000

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 11, 2000

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
2000

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

Effective April 13, 2000.

CHAPTER 81

S.P. 1061 - L.D. 2655

An Act to Amend and Clarify the Powers and Duties of the Lake Arrowhead Community, Incorporated

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

Sec. 1. P&SL 1995, c. 37, §13-A is enacted to read:

Sec. 13-A. Prohibited fees and assessments. Notwithstanding any other provision of this Act or the Maine Revised Statutes, Title 33, chapter 31, the corporation may not charge a fee or assessment for a property owned by a municipality, regardless of when a fee or assessment may have been incurred.

Sec. 2. Application. This Act applies to all fees and assessments levied by the corporation on or after January 1, 1995.

See title page for effective date.

CHAPTER 82

S.P. 1010 - L.D. 2578

An Act to Provide for the Year 2000 Allocations of the State Ceiling on Private Activity Bonds

Emergency preamble. Whereas, Acts 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 Public Law 1999, chapter 443 make a partial allocation of the state ceiling on private activity bonds to some issuers for calendar year 2000, 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 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 even 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. No portion of the state ceiling for calendar year 2000 is allocated to the Treasurer of State. No portion of the state ceiling for calendar year 2001 is allocated to the Treasurer of State.

Sec. 2. Allocation to the Finance Authority of Maine. The \$25,000,000 of the state ceiling for calendar year 2000 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. Twenty-five million dollars of the state ceiling for calendar year 2001 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 for calendar year 2000 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. Ten million dollars of the state ceiling for calendar year 2001 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 \$10,000,000 of the state ceiling for calendar year 1999 previously allocated to the Finance Authority of Maine to be used for educational loans under Public Law 1999, chapter 443 is reallocated to the Maine Educational Loan Authority to be used or reallocated for supplemental educational loans in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 8. Ten million dollars of the state ceiling for calendar year 2000 is allocated to the Maine Educational Loan Authority to be used or reallocated for supplemental educational loans in accordance with Title 10, section 363, subsection 8. If the \$10,000,000 of the state ceiling for calendar year 1999 reallocated to the Maine Educational Loan Authority under this section is not reallocated to the Maine Educational Loan Authority,

then up to \$10,000,000 of the state ceiling for calendar year 2001 may be allocated to the Maine Educational Loan Authority to be used or reallocated for supplemental educational loans in accordance with Title 10, section 363, subsection 8. These allocations may not be used by or reallocated to the Maine Educational Loan Marketing Corporation.

Sec. 5. Allocation to the Maine State Housing Authority. The \$40,000,000 of the state ceiling for calendar year 2000 previously allocated to the Maine State Housing Authority remains 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. Fifty million dollars of the state ceiling for calendar year 2000 previously unallocated is now allocated to the Maine State Housing Authority to be used or reallocated in accordance with Title 10, section 363, subsection 4. Forty million dollars of the state ceiling for calendar year 2001 is allocated to the Maine State Housing Authority to be used or reallocated in accordance with Title 10, section 363, subsection 4.

Sec. 6. Allocation to the Maine Educational Loan Marketing Corporation. No portion of the state ceiling for calendar year 2000 is allocated to the Maine Educational Loan Marketing Corporation. No portion of the state ceiling for calendar year 2001 is allocated to the Maine Educational Loan Marketing Corporation.

Sec. 7. Unallocated state ceiling. Fifteen million dollars of the state ceiling for calendar year 2000 remains unallocated and must be reserved for future allocation in accordance with applicable laws. Sixty-five million dollars of the state ceiling for calendar year 2001 remains 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 Act takes effect when approved.

Effective April 14, 2000.

CHAPTER 83

S.P. 602 - L.D. 1725

An Act to Allow the Towns of Wells and Ogunquit to Withdraw from Their Community School District

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

Sec. 1. P&SL 1979, c. 45, §6, 7th ¶ is repealed and the following enacted in its place:

The total expenses of the Wells-Ogunquit Community School District for kindergarten to grade 12, including operational, program, maintenance, debt retirement and interest costs, must be apportioned between the participating Town of Ogunquit and Town of Wells according to the following formula.

1. For fiscal year 2000-01, 88.9% of the total will be assessed between the towns in the same proportion as the state valuation of each town, for the year preceding the year to which the budget applies, bears to the total valuation for both towns and 11.1% of the total will be assessed between the towns in the same proportion as the average number of resident pupils of each town, as counted under the Maine Revised Statutes, Title 20-A, sections 5104-A and 6004 who are educated at public expense in kindergarten to grade 12 on April 1st and October 1st of the year preceding the year to which the budget applies, bears to the total number of resident pupils for both towns.

2. For fiscal year 2001-02, 77.8% of the total will be assessed between the towns in the same proportion as the state valuation of each town, for the year preceding the year to which the budget applies, bears to the total valuation for both towns and 22.2% of the total will be assessed in the same proportion as the average number of resident pupils of each town, as provided in subsection 1 for the year preceding the year to which the budget applies, bears to the total number of resident pupils for both towns.

3. For fiscal year 2002-03 and subsequent fiscal years, 66.7% of the total will be assessed between the towns in the same proportion as the state valuation of each town, for the year preceding the year to which the budget applies, bears to the total valuation for both towns and 33.3% of the total will be assessed in the same proportion as the average number of resident pupils of each town, as provided in subsection 1 for the year preceding the year to which the budget applies, bears to the total number of resident pupils for both towns.

Notwithstanding subsection 3, after fiscal year 2002-03, the towns may agree to change the formula for apportionment of kindergarten to grade 12 educational costs by separate majority vote in each town.

A withdrawal from the community school district must be authorized by special act of the Legislature upon such terms as are contained in that special act.

See title page for effective date.
