

# 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 TWENTIETH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 2, 2002 to April 25, 2002**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 25, 2002**

**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**  
**2002**

**Whereas**, the Town of Waldoboro has authorized the issuance of temporary general obligation bond anticipation notes in the principal amount not to exceed \$4,923,611, for the purpose of financing the acquisition of the assets of the Waldoboro Water Company and certain improvements to the town's water system and to develop a new water source and has issued its temporary general obligation bond anticipation notes to finance its water project, such debt being originally issued in September 1999; and

**Whereas**, difficulty in locating a pure source of water has caused the design and construction period of the project to extend beyond the time originally contemplated and has delayed the closing of the long-term financing with the United States of America and the Maine Municipal Bond Bank; and

**Whereas**, the Maine Revised Statutes, Title 30-A, section 5772 states that the period of anticipatory borrowing by a municipality may not exceed 3 years; and

**Whereas**, it is necessary for the Town of Waldoboro to extend the period of its anticipatory borrowing for an additional 3 years; 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. Authority to issue and sell temporary notes.** Notwithstanding the Maine Revised Statutes, Title 30-A, section 5772, the Town of Waldoboro may issue and sell its temporary general obligation bond anticipation notes in a principal amount not to exceed \$4,923,611 for an additional 3 years for the purpose of refinancing certain outstanding temporary notes originally issued in September 1999 and to finance additional costs of the water project for the Town of Waldoboro. The 3-year limitation regarding temporary or anticipatory borrowing contained in Title 30-A, section 5772 is extended to 6 years for the Town of Waldoboro water project for notes that may be issued in the principal amount of \$4,923,611 as authorized by the voters of the Town of Waldoboro.

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

Effective March 6, 2002.

---

**CHAPTER 52**

**S.P. 744 - L.D. 2074**

**An Act to Increase the Debt Limit of the Calais School District**

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

**Whereas**, school overcrowding and outdated buildings are detrimental to the schools and students in Maine; and

**Whereas**, students in Calais schools are being housed in temporary classrooms or "pods" for needed class space; and

**Whereas**, the leases on these temporary buildings expire soon and means for funding adequate class space for Calais schools are ongoing; 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 2001, c. 30, §1** is amended to read:

**Sec. 1. Calais School District, incorporated.** Subject to the provisions of section 7, the Calais School District, referred to in this Act as the "district" is established as a body politic and corporate and includes the inhabitants and territory within the City of Calais. The purposes of the district are, for the benefit of the inhabitants of the city, acquiring properties within the City of Calais for school and related athletic and recreational purposes; erecting, enlarging, equipping and maintaining on those properties school buildings and related athletic and recreational facilities with the right to lease or let those properties to the City of Calais and to lease purchase school administrative space, secured by a mortgage or ground lease and to lease or let such space to a school union that includes the City of Calais; and maintaining and improving other school buildings in the district and maintaining elementary and secondary schools.

**Sec. 2. P&SL 2001, c. 30, §4** is amended to read:

**Sec. 4. How financed.** To ~~procure funds in-~~ cur indebtedness for the purposes of this Act, the district is authorized to issue bonds and notes but may

not incur a total indebtedness exceeding the sum of ~~\$6,000,000~~ 10% of the most recent state valuation of the City of Calais. Each bond must have inscribed upon its face the words: "Calais School District" and must bear interest at a rate the trustees determine and be payable semiannually. The bonds may be issued to mature serially or made to run for such periods as the trustees determine but none may run for a period longer than 30 years. A note or bond issued by the district must be signed by the treasurer and countersigned by the president, and, if coupon bonds are issued, each coupon must be attested by a facsimile signature of the president and treasurer. The treasurer shall give bond to the district in such sum and with such sureties as the trustees determine, and the bond must remain in the custody of the Clerk of the City of Calais. The expenses of the bond must be paid by the district. The district is authorized to enter into agreements with the Federal Government, the Maine Municipal Bond Bank or others to loan money or otherwise assist in the financing of a project that the district is authorized to carry out. The trustees may borrow in anticipation of their sale by issuing temporary notes and renewal notes in the name of the district.

**Sec. 3. P&SL 2001, c. 30, §7** is amended to read:

**Sec. 7. Provisions for termination of board of trustees.** When all of the school buildings have been completed, equipped and occupied by pupils of the district and the board of trustees of the district has discharged all of its ~~principal indebtedness~~ and lease purchase obligations, and the property of the district is free and clear of all indebtedness and other obligations, the board of trustees automatically ceases to function and all of the duties, management, care and maintenance revert to the school board of the City of Calais or other board that has jurisdiction over similar school property. The president and the treasurer of the district shall execute, sign and deliver a deed of all the property in the district to the City of Calais. All money remaining in the treasury of the board of trustees at the time the board ceases to function must be deposited to the credit of the City of Calais and may be used only for school purposes and must be kept separate from all other money until authorized by the municipal officers of the City of Calais to be expended as authorized under this Act.

**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 within the City of Calais at a special or regular city meeting or election held prior to July 1, 2002. The election must be called, advertised and conducted according to law. The city clerk shall prepare the required ballots, on which the city clerk shall reduce

the subject matter of this Act to the following question:

"Do you favor amending the charter of the Calais School District to accomplish the following:

A. To authorize the Calais School District to lease purchase school administrative space, secured by a mortgage or ground lease and to lease or let such space to a school union that includes the City of Calais; and

B. To increase the debt limit of the Calais School District from \$6,000,000 to 10% of the most recent state valuation of the City of Calais?"

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

The results must be declared by the municipal officers of the City of Calais and due certificate of the results filed by the city clerk with the Secretary of State.

This Act takes effect immediately upon its acceptance by a majority of the legal voters voting at the election.

Effective pending referendum.

---



---

**CHAPTER 53**

**S.P. 755 - L.D. 2091**

**An Act to Provide for the 2002 and 2003 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 Private and Special Law 2001, chapter 14 make a partial allocation of the state ceiling on private activity bonds to some issuers for calendar year 2002, 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