

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 13, 2002 to November 14, 2002**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 2002 to June 14, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 13, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 13, 2003**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2003**

the results filed by the 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.

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## CHAPTER 17

### S.P. 428 - L.D. 1326

#### **An Act To Provide for the 2003 and 2004 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 53 make a partial allocation of the state ceiling on private activity bonds to some issuers for calendar year 2003, 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 Treasurer of State.** No portion of the state ceiling for calendar year 2003 was previously allocated to the Treasurer of State. Twenty million dollars of the state ceiling previously unallocated is now allocated to the Treasurer of State to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 5 for calendar year 2003. No portion of the state ceiling for calendar year 2004 is allocated to the Treasurer of State.

**Sec. 2. Allocation to Finance Authority of Maine.** The \$30,000,000 of the state ceiling for calendar year 2003 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 for calendar year 2003. Thirty million dollars of the state ceiling previously unallocated is now allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 6 for calendar year 2003. Thirty million dollars of the state ceiling for calendar year 2004 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 Maine Municipal Bond Bank.** The \$10,000,000 of the state ceiling for calendar year 2003 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 for calendar year 2003. Ten million dollars of the state ceiling for calendar year 2004 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 Maine Educational Loan Authority.** No portion of the state ceiling for calendar year 2003 was previously allocated to the Maine Educational Loan Authority. No portion of the state ceiling for calendar year 2004 is allocated to the Maine Educational Loan Authority.

**Sec. 5. Allocation to Maine State Housing Authority.** The \$40,000,000 of the state ceiling for calendar year 2003 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 for calendar year 2003. Forty million dollars of the state ceiling for calendar year 2004 is allocated to the Maine State Housing Authority to be used or reallocated in accordance with Title 10, section 363, subsection 4 for calendar year 2004.

**Sec. 6. Unallocated state ceiling.** Ninety-eight million five hundred eighty thousand dollars of the state ceiling for calendar year 2003 is unallocated and must be reserved for future allocation in accordance with applicable laws. One hundred forty-eight million five hundred eighty thousand dollars of the state ceiling for calendar year 2004 is 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 May 15, 2003.

**CHAPTER 18**

**S.P. 369 - L.D. 1097**

**An Act To Release the Records of the Attorney General and the Maine State Police Regarding the Investigation, Prosecution and Trial of Dennis Dechaine**

**Sec. 1. Application of Title 16, section 614.** Notwithstanding Public Law 1993, chapter 719, section 11, the intelligence and investigative information contained in the reports and records of the Department of the Attorney General prepared by or at the request of the department before July 1, 1995 relating to the unlawful homicide of Sara Cherry of Bowdoin, with the exception of photographs of the victim, is governed by the Maine Revised Statutes, Title 16, section 614.

See title page for effective date.

**CHAPTER 19**

**H.P. 485 - L.D. 655**

**An Act To Revise the Charter of the Brunswick Sewer District**

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

**PART A**

**Sec. A-1. P&SL 1947, c. 77, §2,** as enacted by P&SL 1981, c. 103, is amended to read:

**Sec. 2. Brunswick Sewer District created.** The Brunswick Sewer District, called "the district," is a quasi-municipal corporation ~~which~~ that has been created for the purpose of providing and maintaining, within the territorial limits of the district, a sewer system for the collection, treatment and disposal of sewage. The district is the sole nonmunicipal or nonfederal governmental or quasi-governmental entity responsible for domestic sewerage and commercial and industrial waste within the territory of the Town of Brunswick, and there may be no other sewer or sanitary district within the boundaries of the town, regardless of the fact that the territory of the district does not encompass the entire town. The district ~~shall have~~ has all the rights, privileges and immunities

incident to similar corporations or necessary for the accomplishment of its purpose. Nothing contained in this charter imposes on the district the duty of providing or maintaining catch basins or drainage of public ways. The property of the district is exempt from taxation under the Maine Revised Statutes, Title 36, section 112.

**Sec. A-2. P&SL 1947, c. 77, §24, sub-§5,** as enacted by P&SL 1981, c. 103, is amended to read:

5. Consultation. Prior to authorizing any sewer extension, except by specific state or federal mandate, the trustees shall notify the town council and consult with the planning board in order to assure conformity with their comprehensive plans and other public policies relating to growth and development. The trustees shall publish a notice of the proposed action in a newspaper with general circulation in the district, no less than 7 days prior to the meeting at which they will take final action on the authorization of the extension.

Nothing in this section exempts the district from complying with the requirements of the Maine Revised Statutes, Title 38, section 1252, subsection 7.

**PART B**

**Sec. B-1. P&SL 1947, c. 77, §11,** as enacted by P&SL 1981, c. 103, is repealed and the following enacted in its place:

**Sec. 11. Territorial limits; expansion; voters.** The territory of the district extends from the center of town as follows, to include the entire area within the outer limits specified:

1. Territorial limits. Beginning at a point in the Androscoggin River at the Topsham line, 2 1/2 miles easterly from the location of the town hall as of January 1, 1981, thence southerly to the intersection of Storer Road and Old Bath Road, thence easterly to the intersection of new U.S. Route #1 and Harding Road, thence southerly along the easterly side of Harding Road to Bath Road, thence southwesterly to the intersection of Thomas Point Road and Meadow Road (not including either side of Adams Road), thence southwesterly to the intersection of Gurnet Road and Board Road, thence southwesterly to Dyers Corner, thence along the southerly side of Middle Bay Road to the intersection of Middle Bay Road and Mere Point Road, thence northwesterly to the intersection of Woodside Road and Pleasant Hill Road, thence northwesterly to the intersection of U. S. Route #1 and Greenwood Road, thence northwesterly to the intersection of Pleasant Street and Interstate Route #95, thence northeasterly along the median of Route #95 to the Androscoggin River, thence easterly along the Brunswick-Topsham line in the center of the river to the point of beginning.