

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 TWENTY-FIRST LEGISLATURE

FIRST SPECIAL SESSION
August 21, 2003 to August 22, 2003

The General Effective Date For
First Special Session
Non-Emergency Laws Is
November 22, 2003

SECOND REGULAR SESSION
January 7, 2004 to January 30, 2004

The General Effective Date For
Second Regular Session
Non-Emergency Laws Is
April 30, 2004

SECOND SPECIAL SESSION
February 3, 2004 to April 30, 2004

The General Effective Date For
Second Special Session
Non-Emergency Laws Is
July 30, 2004

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

Penmor Lithographers
Lewiston, Maine
2004

amounts, bearing interest at such rate or rates, and having such terms and provisions as the trustees shall determine; provided the total indebtedness of the district shall does not exceed the sum of \$4,000,000 \$5,200,000.

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

Effective April 6, 2004.

CHAPTER 41

H.P. 1431 - L.D. 1931

An Act To Provide for a Limited Transition Provision for Renewal of Certain Social Worker Licenses

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

Whereas, this legislation authorizes the Department of Professional and Financial Regulation, State Board of Social Worker Licensure to issue renewal licenses to social workers who held valid licenses on September 13, 2003, prior to the enactment of new license requirements for licenses issued after January 1, 2004; and

Whereas, if the State Board of Social Worker Licensure is not granted additional authority, it will not be feasible for many social worker licensees to comply with the new requirements for licensure within the balance of their current license cycle and they will therefore be denied an opportunity to continue providing a valuable service to the citizens of the State; 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. Transition provisions. Notwithstanding the Maine Revised Statutes, Title 32, section 7060, subsections 1 and 2, the Department of Professional and Financial Regulation, State Board of Social Worker Licensure is authorized to delay application of the new consultation requirements to conditionally licensed social workers and licensed social workers who held valid licenses on September 13, 2003. The new consultation requirements, which became

effective on January 1, 2004, must be imposed on these licensees upon their timely application for renewal. These licensees will be accorded not less than 2 years but no more than 4 years to comply with the new consultation requirements. This transition is not intended to prevent timely consideration by the State Board of Social Worker Licensure of applications for renewal licensure for individuals who have or will have completed the required consultation requirements under Public Law 2003, chapter 429. The transition is intended to provide licensed and conditionally licensed social workers who were validly licensed on September 13, 2003 but who have not previously been subject to new consultation requirements to have the same time period as new licensees to satisfy consultation requirements.

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

Effective April 7, 2004.

CHAPTER 42

H.P. 1452 - L.D. 1953

An Act To Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by 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, the management and control of public school buildings located in the City of Calais are vested in the Calais School District, which includes the territory of the City of Calais; and

Whereas, the State Board of Education has granted concept approval and design and funding approval for a school construction project to construct and equip additions and do renovations to Calais Elementary School and Calais High School; and

Whereas, at a first referendum held on May 29, 2002, the voters of the City of Calais voted to authorize the Board of Trustees of the Calais School District to expend an amount not to exceed \$8,824,585 for the project, to issue bonds or notes in the name of the Calais School District for school construction purposes in an amount not to exceed \$7,208,212 and to issue additional bonds or notes or other evidences of indebtedness in an amount not to exceed \$1,616,373 for zero-interest loans from the State's School Revolving Renovation Fund; and

Whereas, at a 2nd referendum held on June 24, 2003, the voters of the City of Calais voted to exercise the total project cost to an amount not to exceed \$9,383,367 and to authorize the Board of Trustees of the Calais School District to issue additional bonds or notes for school construction purposes for the project in an amount not to exceed \$558,783; and

Whereas, the Calais School District now intends to issue additional bonds or notes for the project; and

Whereas, the warrants for the 2nd referendum relating to the project were posted on June 18, 2003, 6 days prior to the June 24, 2003 referendum, rather than 7 days prior to the referendum as required by the Maine Revised Statutes; and

Whereas, the failure to post the warrant 7 days in advance of the 2nd referendum has created a legal technicality that could prevent the issuance of additional bonds or notes by the Calais School District for the project; 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. Validation and authorization. Notwithstanding any provision of the Maine Revised Statutes to the contrary, the school construction referendum conducted by the City of Calais on June 24, 2003 and the proceedings related to that referendum are validated and made effective. The Calais School District is authorized to expend up to \$9,383,367 for the Calais High School and Calais Elementary School construction and renovation project and to issue bonds or notes that have been approved by the State Board of Education for purposes of calculating state school construction subsidies in an amount not to exceed \$7,726,994, to issue local only bonds or notes for the project without state subsidy in an amount not to exceed \$40,000 and to issue bonds or notes or other evidences of indebtedness for the project in an amount not to exceed \$1,616,373 for zero-interest loans from the State's School Revolving Renovation Fund.

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

Effective April 9, 2004.

CHAPTER 43

S.P. 758 - L.D. 1922

An Act To Preserve Transportation Projects Statewide by Using Federal GARVEE Financing for the Waldo-Hancock Bridge Replacement

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

Sec. 1. Definitions. As used in this Act, unless the context otherwise indicates, the following terms have the following meanings.

1. Bank. "Bank" means the Maine Municipal Bond Bank.

2. GARVEE. "GARVEE" means grant anticipation revenue vehicle debt financing.

3. Qualified transportation project. "Qualified transportation project" means all projects associated with the replacement of the Waldo-Hancock Bridge and approved by the Federal Highway Administration.

4. Revenues. "Revenues" means, in the case of bonds or notes issued by the bank to finance the qualified transportation project, payments of funds derived from the Federal Highway Administration and other investments, gifts, grants, contributions, appropriations, income and any other amounts pledged to secure payment of such bonds or notes.

Sec. 2. Qualified transportation project costs. Costs of the qualified transportation project include, without limitation, costs related to:

A. The purchase price or acquisition of any property or interests in those properties or other rights necessary or convenient for such projects;

B. The study, permitting and engineering of any such project, including the preparation of plans and specifications, surveys and estimates of cost;

C. Construction, reconstruction, paving, repaving, building, alteration, repair, restoration, environmental review or remediation, enlargement or other improvement, including all labor, materials, machinery, fixtures and equipment, including rolling stock or vehicles;

D. Engineering, architectural, legal and other professional services;

E. Reserves, insurance, letters of credit or other financial guarantees for payment of future debt service on bonds or notes; and