

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2014 to July 16, 2015

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 15, 2015

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

Augusta, Maine
2015

CHAPTER 4
H.P. 717 - L.D. 1048

**An Act To Allow School
Administrative District No. 27
To Transfer Ownership of the
St. Francis Elementary School
to the Town of St. Francis**

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

Whereas, School Administrative District No. 27 is the owner of the St. Francis Elementary School building and its site in the Town of St. Francis; and

Whereas, the board of directors of School Administrative District No. 27 and the municipal officers of the Town of St. Francis have agreed that it would be in the best interests of School Administrative District No. 27 and the Town of St. Francis for School Administrative District No. 27 to transfer the St. Francis Elementary School building and its site to the Town of St. Francis so that a portion of the property could be leased back to School Administrative District No. 27 for educational purposes for continued use as an elementary school; and

Whereas, the Maine Revised Statutes, Title 20-A, section 4103, subsection 3 provides for the transfer of control or ownership of a school building that has been closed for lack of need and that does not have any anticipated use as a school building to the municipal officers or inhabitants of the town, but does not authorize transfer of a school building to a municipality if the school administrative unit intends to continue to use a portion of the building for school purposes; and

Whereas, the 2015-2016 school year may begin before the expiration of the 90-day period; 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 convey. Notwithstanding the Maine Revised Statutes, Title 20-A, chapter 202, the board of directors of School Administrative District No. 27 may transfer to the Town of St. Francis ownership of the St. Francis Elementary School building and its site, subject to the approval of the voters of the Town of St. Francis. Following the transfer of ownership, the municipal officers of the Town of St.

Francis may lease a portion of the St. Francis Elementary School building and its site back to School Administrative District No. 27 for use for educational purposes. The initial term of the lease may be extended for any number of subsequent terms. Subject to applicable law, the municipal officers of the Town of St. Francis are authorized to renovate, use, lease, sell, mortgage or otherwise convey any portion of the St. Francis Elementary School building and its site, subject, however, to any rights and interests of School Administrative District No. 27 as lessee of a portion of the property for educational purposes. As long as School Administrative District No. 27 leases any portion of the property for educational purposes, the other uses of the property must be compatible with use of the property for educational purposes as reasonably determined by the board of directors.

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

Effective April 30, 2015.

CHAPTER 5
S.P. 243 - L.D. 650

**An Act To Amend the
Brunswick Sewer District
Charter**

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

Sec. 1. P&SL 1947, c. 77, §31, sub-§1, last sentence, as amended by P&SL 1987, c. 104, §2 and affected by §5, is further amended to read:

The total indebtedness at any time ~~shall~~ may not exceed ~~\$20,000,000~~ \$25,000,000.

Sec. 2. Referendum; effective date. This Act takes effect when approved only for the purpose of permitting its submission to the legal voters of the Brunswick Sewer District at an election called for that purpose and held by November 7, 2017. The election must be called, advertised and conducted according to the law relating to municipal elections, except that the registrar of voters is not required to prepare or the clerk to post a new list of voters. For the purpose of registration of voters, the registrar of voters must be in session the secular day preceding the election. The subject matter of this Act is reduced to the following question:

"Do you favor changing the debt limit of the Brunswick Sewer District from \$20,000,000 to \$25,000,000?"

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

The results must be declared by the municipal officers of the Town of Brunswick and due certificate of the results filed by the clerk with the Secretary of State.

This Act takes effect for all other purposes immediately upon its approval by a majority of the legal voters voting at the election. Failure to achieve the necessary approval in any referendum does not prohibit subsequent referenda consistent with this section, provided the referenda are held by November 7, 2017.

Effective pending referendum.

CHAPTER 6

S.P. 408 - L.D. 1139

An Act To Provide for the 2015 and 2016 Allocations of the State Ceiling on Private Activity Bonds

Emergency preamble. Whereas, acts and resolves 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 2013, chapter 20 make a partial allocation of the state ceiling on private activity bonds to some issuers for calendar year 2015 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 must be delayed due to the 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. The \$5,000,000 of the state ceiling on private activity bonds for calendar year 2015 previously allocated to the Treasurer of State remains 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 2015. Five million dollars of the state ceiling for calendar year 2016 is allocated to the Treasurer of State to be used or reallocated in accordance with Title 10, section 363, subsection 5.

Sec. 2. Allocation to the Finance Authority of Maine. The \$40,000,000 of the state ceiling on private activity bonds for calendar year 2015 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 2015. Thirty-five million dollars of previously unallocated state ceiling for calendar year 2015 is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 6 for calendar year 2015. Forty million dollars of the state ceiling for calendar year 2016 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 on private activity bonds for calendar year 2015 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 2015. Ten million dollars of the state ceiling for calendar year 2016 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 \$15,000,000 of the state ceiling on private activity bonds for calendar year 2015 previously allocated to the Maine Educational Loan Authority remains allocated to the Maine Educational Loan Authority to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 8 for calendar year 2015. Fifteen million dollars of the state ceiling for calendar year 2016 is allocated to the Maine Educational Loan Authority to be used or reallocated in accordance with Title 10, section 363, subsection 8.

Sec. 5. Allocation to the Maine State Housing Authority. The \$50,000,000 of the state ceiling on private activity bonds for calendar year 2015 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 2015. Fifty million dollars of the state ceiling for calendar year 2016 is allocated to the Maine State Housing Authority to be used