

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST SPECIAL SESSION
October 23, 2017 to November 6, 2017

SECOND REGULAR SESSION
January 3, 2018 to May 2, 2018

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
FEBRUARY 5, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 1, 2018

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

Augusta, Maine
2018

the Department of Education's division of state schools, education in the unorganized territory.

3. Special education services must be provided to identify eligible resident students as required by federal and state laws, rules and regulations. Special education services are administered by the director of special education for the division of state schools, education in the unorganized territory within the Department of Education.

Tuition to schools other than those that are identified in subsection 2 may be provided on behalf of resident students with the prior approval of the director of state schools, education in the unorganized territory within the Department of Education. Tuition may not exceed limits set out in the Maine Revised Statutes, Title 20-A, section 3304, and transportation is the responsibility of the parents or legal guardians. The receiving school must be approved by the Commissioner of Education for the purpose of tuition.

The provision of educational services under this section is subject to future modification in response to changes in educational conditions.

Sec. A-8. Assessment of taxes. The State Tax Assessor shall assess the real and personal property taxes in Codyville Plantation as of April 1, 2019 as provided in the Maine Revised Statutes, Title 36, section 1602.

Sec. A-9. Referendum; certificate to Secretary of State. This Part takes effect 90 days after its approval only for the purpose of permitting its submission by the municipal officers of Codyville Plantation to the legal voters of the plantation by ballot at the next general election to be held in November. This election must be called, advertised and conducted according to the Maine Revised Statutes, Title 30-A, sections 2528 and 2532. The plantation clerk shall prepare the required ballots on which the clerk shall reduce the subject matter of this Part to the following question:

"Shall Codyville Plantation be deorganized?"

The voters shall indicate their opinion on this question by a cross or check mark placed against the word "Yes" or "No." Before becoming effective, this Part must be approved by at least 2/3 of the legal voters casting ballots at the general election, and the total number of votes cast for and against the acceptance of this Part at the election must equal or exceed 50% of the total number of votes cast in the plantation for Governor at the last gubernatorial election.

The municipal officers of Codyville Plantation shall declare the result of the vote. The plantation clerk shall file a certificate of the election result with the Secretary of State within 10 days after the date of the election.

Sec. A-10. Effective dates. If the legal voters of Codyville Plantation approve the referendum under section 9 of this Part, sections 1 to 5, 7 and 8 of this Part take effect July 1, 2019, and section 6 of this Part takes effect upon approval of the referendum.

PART B

Sec. B-1. Register and transmit copy of approved deorganization procedure. Before the effective date of the deorganization of Codyville Plantation pursuant to Part A, the fiscal administrator of the unorganized territory within the Office of the State Auditor shall transmit a copy of the approved deorganization procedure developed in accordance with the Maine Revised Statutes, Title 30-A, section 7205 to the Washington County Administrator and register the approved deorganization procedure with the Washington County Registry of Deeds.

Sec. B-2. Effective date. This Part takes effect upon approval of the referendum under Part A, section 9.

Effective pending referendum.

CHAPTER 12

S.P. 666 - L.D. 1787

An Act To Provide for the 2018 and 2019 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 2017, chapter 5 make a partial allocation of the state ceiling on private activity bonds to some issuers for calendar year 2018 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 preserva-

tion 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 2018 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 2018. Five million dollars of the state ceiling for calendar year 2019 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 2018 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 2018. Forty million dollars of the state ceiling for calendar year 2019 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 2018 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 2018. Ten million dollars of the state ceiling for calendar year 2019 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 Finance Authority of Maine as successor to the Maine Educational Loan Authority. The \$15,000,000 of the state ceiling on private activity bonds for calendar year 2018 previously allocated to the Finance Authority of Maine as successor to the Maine Educational Loan Authority remains allocated to the Finance Authority of Maine to be used or reallocated in accordance with Public Law 2015, chapter 170 and with the Maine Revised Statutes, Title 10, section 363, subsection 8 for calendar year 2018. Fifteen million dollars of the state ceiling for calendar year 2019 is allocated to the Finance Authority of Maine 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 2018 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 2018. Fifty million dollars of the state ceiling for calendar year 2019 is allocated to the Maine State Housing Authority to be used or reallocated in accordance with Title 10, section 363, subsection 4.

Sec. 6. Unallocated state ceiling. One hundred ninety-one million three hundred seventy-five thousand dollars of the state ceiling on private activity bonds for calendar year 2018 is unallocated and must be reserved for future allocation in accordance with applicable laws. One hundred ninety-one million three hundred seventy-five thousand dollars of the state ceiling for calendar year 2019 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 legislation takes effect when approved.

Effective March 23, 2018.

CHAPTER 13

S.P. 681 - L.D. 1814

An Act To Amend the Charter of the Lisbon Water Department

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

Sec. 1. P&SL 1903, c. 241, §6, 2nd ¶, as repealed and replaced by P&SL 2005, c. 43, Pt. A, §1 and affected by Pt. B, §1, is amended to read:

The Board of Water Commissioners consists of 3 water commissioners, all of whom must be residents of the Town of Lisbon and are elected at the annual municipal election for a term of 3 years. The term of a water commissioner elected after July 1, 2006 and before November 8, 2017 runs from July 1st of the year following the election to June 30th of the 3rd year following commencement of the term. The term of a water commissioner elected after November 7, 2017 runs from December 1st of the year of the election to November 30th of the 3rd year following commencement of the term.

Sec. 2. Transition. Notwithstanding Private and Special Law 1903, chapter 241, section 6, as amended:

1. The water commissioner of the Lisbon Water Department elected on November 7, 2017 serves for a term that runs from July 1, 2018 to November 30, 2020;