

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

SECOND SPECIAL SESSION
September 29, 2021

SECOND REGULAR SESSION
January 5, 2022 to May 9, 2022

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 29, 2021

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 8, 2022

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

Augusta, Maine
2022

PRIVATE AND SPECIAL LAWS OF THE STATE OF MAINE
AS PASSED AT
THE SECOND REGULAR SESSION OF THE
ONE HUNDRED AND THIRTIETH LEGISLATURE
2021

CHAPTER 13
H.P. 1311 - L.D. 1760

**An Act To Amend the Charter
of the Boothbay Harbor Sewer
District To Set the Terms of Its
Trustees at 3 Years**

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

Sec. 1. P&SL 1961, c. 161, §14, as amended by P&SL 2019, c. 12, §1, is further amended by amending the first paragraph to read:

Sec. 14. Trustees and ~~officer officers~~; tenure of office; election to office; organization; vacancies; compensation. All of the affairs of the district are managed by a board of 3 trustees, who must be residents of the district. Trustees are elected for a term of 3 years.

Sec. 2. Retroactivity. This Act applies retroactively to November 5, 2019.

See title page for effective date.

CHAPTER 14
S.P. 638 - L.D. 1811

**An Act To Provide for the 2022
and 2023 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 2021, chapter 1 make a partial allocation of the state ceiling on private activity bonds to some issuers for calendar year 2022 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 it is 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 2022 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 2022. Five million dollars of the state ceiling for calendar year 2023 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 2022 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 2022. An additional \$60,000,000 of the state ceiling on private activity bonds for calendar year 2022, previously unallocated, is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 6. One hundred million dollars of the state ceiling for calendar year 2023 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 2022 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 2022. Ten million dollars of the state ceiling for calendar year 2023 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 2022 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 the Maine Revised Statutes, Title 10, section 363, subsection 8 for calendar year 2022. Fifteen million dollars of the state ceiling for calendar year 2023 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 2022 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 2022. Fifty million dollars of the state ceiling for calendar year 2023 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 fifty-five million one hundred fifteen thousand dollars of the state ceiling on private activity bonds for calendar year 2022 is unallocated and must be reserved for future allocation in accordance with applicable laws. One hundred fifty-five million one hundred fifteen thousand dollars of the state ceiling for calendar year 2023 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 16, 2022.

CHAPTER 15

S.P. 646 - L.D. 1829

An Act To Amend the Charter of the Ogunquit Sewer District

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

Sec. 1. P&SL 1963, c. 87, §1, as amended by P&SL 2011, c. 24, §1, is further amended to read:

Sec. 1. Territorial limits; incorporation; purposes. The inhabitants and territory within the Town of Ogunquit in York County constitute a public sewerage district and a body politic and corporate under the name of "Ogunquit Sewer District." The purpose of the district, subject to the provisions of section 10, is to take over, control, operate and manage the sanitary sewer system previously owned by the Town of Ogunquit and as further improved and expanded by the

Ogunquit Sewer District with all appurtenances thereto; to extend, increase, enlarge and improve the sewer system; to extend the present system or systems so as to furnish sewerage facilities to those parts of the district and, as determined appropriate by the trustees of the district, to parts of adjoining municipalities not ~~now~~ served with such facilities or served by a failing or failed subsurface wastewater disposal system or septic system at the time service is extended thereto; to provide for removal and treatment of sewage when, as and if such treatment becomes necessary; and generally to construct, maintain, operate and provide a system of sewage collection and pumping, sewage disposal and sewage treatment for public purposes and for the health, welfare, comfort and convenience of the inhabitants of the district.

Sec. 2. P&SL 1963, c. 87, §2-A, as enacted by P&SL 2011, c. 24, §4, is amended to read:

Sec. 2-A. Sewer extensions. Sewer extensions are governed by the Maine Revised Statutes, Title 38, section ~~4252, subsection 7~~ 1042.

Sec. 3. P&SL 1963, c. 87, §§3 and 4, as amended by P&SL 2001, c. 19, §4, are further amended to read:

Sec. 3. Authority to acquire and hold property; right of eminent domain conferred. Upon acceptance of this ~~act~~ Act, and subject to section 10, title to all public sewers in the Town of Ogunquit other than sewers used exclusively for storm or surface water drainage remain with and immediately pass to and are vested in the district, and the district shall maintain and operate the same. Upon approval, title to all plans, maps, specifications and data relating to the existing public sewers and, subject to any obligation of the Town of Ogunquit to the United States of America or any agency of the United States of America, all plans, maps, specifications and data relative to any proposed improvement or expansion of the sanitary sewer system of the Town of Ogunquit remain with and immediately pass to the district. The district is authorized and empowered to acquire and hold real and personal property necessary or convenient for the purposes of this ~~act~~ Act, and is expressly granted the right of eminent domain, and for the purposes of this ~~act~~ Act, is authorized to take and hold, either by exercising its right of eminent domain, or by purchase, lease or otherwise, as for public uses any land, real estate, easements or interests in that land, real estate or easements, and any sewers, drains or conduits and any sewer or drainage rights necessary for constructing, establishing, maintaining and operating sewers, drains, reservoirs, flush tanks, manholes, catch basins, treatment works, pumping stations and other appliances and property used or useful for collecting, holding, purifying, distributing and disposing of sewage matter and commercial and industrial waste and surface and waste waters. Nothing in this section may be con-