

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 7, 2022 to March 30, 2023

FIRST SPECIAL SESSION
April 5, 2023 to July 26, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 29, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
OCTOBER 25, 2023

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

Augusta, Maine
2023

CHAPTER 11
H.P. 1241 - L.D. 1933

An Act to Increase the Debt
Limit of the Limerick Water
District

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

Whereas, this legislation must take effect before the expiration of the 90-day period in order to allow the Limerick Water District to make timely investments to provide water treatment; 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. P&SL 1957, c. 219, §10, as amended by P&SL 1997, c. 75, §§1 and 2, is further amended to read:

Sec. 10. Authorized to borrow money, to issue bonds and notes. For accomplishing the purposes of this act, and for such other expenses as may be necessary for the carrying out of said purposes, the district, through its trustees, without district vote, is authorized to borrow money temporarily and to issue therefor its negotiable notes, and for the purpose of renewing and refunding the indebtedness so created, of paying any necessary expenses and liabilities incurred under the provisions of this act, including organizational and other necessary expenses and liabilities whether incurred by the district or the Town of Limerick, the district being authorized to reimburse the Town of Limerick for any such expenses incurred by it, and in acquiring properties, paying damages, laying pipes, mains, aqueducts and conduits, constructing, maintaining and operating a water plant or system and making renewals, additions, extensions and improvements to the same, and to cover interest payments during the period of construction, the district, through its trustees, without district vote, is also authorized to issue, from time to time, bonds, notes or other evidences of indebtedness of the district in one series, or in separate series, in such amount or amounts, bearing interest at such rate or rates, and having such terms and provisions as the trustees ~~shall~~ may determine; ~~provided~~ except that the total indebtedness of the district at any one time outstanding may not exceed the sum of ~~\$1,000,000~~ \$2,000,000. Said bonds, notes and evidences of indebtedness may be issued to mature serially or made to run for such periods as the trustees may determine, but none of them ~~shall~~ may run for a longer period than 40 years from the

date of original issue thereof. Bonds, notes or evidences of indebtedness may be issued with or without provision for calling the same prior to maturity, and if callable may be made callable at par or at such premium as the trustees may determine. All bonds, notes or other evidences of indebtedness ~~shall~~ must have inscribed upon their face the words "Limerick Water District"; ~~shall~~ and must be signed by the treasurer and countersigned by the ~~chairman~~ chair of the board of trustees of the district, and if coupon bonds are issued, the interest coupons attached thereto ~~shall~~ must bear the facsimile signature of the treasurer. All such bonds, notes and evidences of indebtedness so issued by the district ~~shall~~ be ~~are~~ legal obligations of the district, which is hereby declared to be a quasi-municipal corporation within the meaning of the Revised Statutes of 1954, chapter 53, section 137, and chapter 90-A, section 23, as enacted by the public laws of 1957, chapter 405, section 1, and all the provisions of said sections ~~shall~~ be ~~are~~ applicable thereto. The said district may refund and reissue, from time to time, in one or in separate series, its bonds, notes and other evidences of indebtedness, and each authorized issue ~~shall~~ constitute constitutes a separate loan. All bonds, notes and evidences of indebtedness issued by said district ~~shall~~ be ~~are~~ legal investments for savings banks in the State of Maine and ~~shall~~ be ~~are~~ tax exempt.

Notwithstanding any other provision of this section, the district, through its trustees, may issue bonds, notes or other evidences of indebtedness in amounts exceeding ~~\$1,000,000~~ \$2,000,000 at any one time if a greater debt limit is established by referendum in accordance with the Maine Revised Statutes, Title 35-A, section 6413. The district may not have outstanding at any one time bonds, notes or other evidences of indebtedness in amounts exceeding any debt limit established by referendum in accordance with Title 35-A, section 6413.

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

Effective June 16, 2023.

CHAPTER 12
H.P. 1149 - L.D. 1786

An Act to Repeal and Replace
the Charter of the Boothbay-
Boothbay Harbor Community
School District

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

Sec. 1. P&SL 1953, c. 156, as amended by P&SL 2019, c. 11, §§1 to 3, is repealed and the following enacted in its place:

Sec. 1. Organization and continued existence. The Boothbay-Boothbay Harbor Community School District, referred to in this Act as "the community school district," is a community school district organized pursuant to the Maine Revised Statutes, Title 20-A, chapter 105 and this Act to provide public education in grades prekindergarten or kindergarten to grade 12 for the Town of Boothbay and the Town of Boothbay Harbor. The community school district is governed by Title 20-A, chapter 105 except as provided by this Act.

Sec. 2. Governance transition. The district school committee members and the trustees of the community school district serving as of the effective date of this Act shall continue in their offices for their respective remaining terms.

Sec. 3. Board of trustees; district school committee. Except as provided by this Act, the board of trustees and district school committee have the duties and authority pursuant to the Maine Revised Statutes, Title 20-A, chapter 105. The board of trustees may act as a building and facilities governing committee, including authority in consultation with the district school committee over the budget for maintaining, repairing, replacing and improving the community school district's buildings and other facilities and over the district's capital reserve funds. The community school district may vote in accordance with Title 20-A, section 1651, subsection 4 to have the district school committee perform the duties of the board of trustees.

Sec. 4. Cost sharing; amendment. The community school district shall apportion amounts to each member municipality for the total sum of the annual capital budget, less funds available from other sources to meet the same, and for the total sum of the annual operating budget, less funds available to meet the same, based upon the number of resident pupils in each municipality on the most recent June 1st before the fiscal year prior to the fiscal year of the budget; except that no more than 60% and no less than 40% of such net sum for the annual capital budget may be so apportioned to any town in any year. For the purpose of local cost sharing under the Maine Revised Statutes, Title 20-A, section 15688, subsection 4, the district's cost-sharing formula was established by this Act prior to January 1, 2004, and this formula determines each municipality's local cost of education for purposes of Title 20-A, section 15688. The community school district shall assess and collect school taxes from each member municipality as provided by state law. The community school district shall follow the procedure under state law for amendment of cost-sharing, except that the district school committee shall submit any cost-sharing amendment to voters at a referendum and may determine the amendment to be approved only if each municipality adopts the amendment by a majority of its voters voting and if the total vote cast in each municipality is at least 20% of the number of votes cast in the last gubernatorial election.

Sec. 5. Borrowing authority; voter authorization. Except as provided by this Act, the board of trustees has the authority to borrow pursuant to the Maine Revised Statutes, Title 20-A, section 1651, subsection 2, paragraph E. Capital project bonds or notes of the community school district that are general obligations must be approved by the district voters. The board of trustees shall issue a warrant to initiate a district referendum on a general obligation bond issue of \$250,000 or more and a warrant to initiate either a district meeting or district referendum on a general obligation bond issue in an amount of less than \$250,000.

Sec. 6. Budget validation referendum. The format and procedure for the school operating budget to be presented to the voters of the community school district must be the cost center summary budget format and the budget validation referendum procedure of the Maine Revised Statutes, Title 20-A, chapter 105, subchapter 3.

Sec. 7. District meeting procedures. The community school district shall conduct budget meetings and special budget meetings in the manner provided under the Maine Revised Statutes, Title 20-A, chapter 105, subchapter 3. The community school district may conduct other meetings of its voters in the manner provided for budget meetings under state law.

Sec. 8. District referendum procedures. The community school district shall conduct referenda for purposes described in this Act or state law in the manner provided for regional school units under the Maine Revised Statutes, Title 20-A, chapter 103-A.

Sec. 9. Controlling law. If any provision of this Act conflicts with the Maine Revised Statutes, Title 20-A, chapter 105, the provisions of this Act control.

See title page for effective date.

CHAPTER 13

H.P. 47 - L.D. 72

An Act to Make Allocations
from Maine Turnpike
Authority Funds for the Maine
Turnpike Authority for the
Calendar Year Ending
December 31, 2024

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

Sec. 1. Allocation. Gross revenues of the Maine Turnpike Authority for the calendar year ending December 31, 2024 must be segregated, apportioned and disbursed as designated in the following schedule.

MAINE TURNPIKE AUTHORITY

2024

Administration