

# 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.**

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**Augusta, Maine**  
**2023**

**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.

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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

	Personal Services	\$1,614,045
	All Other	1,749,037
	TOTAL	<u>\$3,363,082</u>
<b>Accounts and Controls</b>		
	Personal Services	\$3,978,842
	All Other	1,659,466
	TOTAL	<u>\$5,638,308</u>
<b>Highway Maintenance</b>		
	Personal Services	\$5,818,923
	All Other	4,116,729
	TOTAL	<u>\$9,935,652</u>
<b>Equipment Maintenance</b>		
	Personal Services	\$1,444,615
	All Other	2,903,379
	TOTAL	<u>\$4,347,994</u>
<b>Fare Collection</b>		
	Personal Services	\$11,489,004
	All Other	3,512,534
	TOTAL	<u>\$15,001,538</u>
<b>Public Safety and Special Services</b>		
	Personal Services	\$673,858
	All Other	7,827,016
	TOTAL	<u>\$8,500,874</u>
<b>Building Maintenance</b>		
	Personal Services	\$826,149
	All Other	740,393
	TOTAL	<u>\$1,566,542</u>
Subtotal of Line Items Budgeted		\$48,353,990
General Contingency - 10% of line items budgeted for 2024 (10% allowed)	\$4,835,399	
<b>MAINE TURNPIKE AUTHORITY</b>		
<b>TOTAL REVENUE FUNDS</b>		<u>\$53,189,389</u>

**Sec. 2. Transfer of allocations.** Any balance of the allocation for "General Contingency" made by the Legislature for the Maine Turnpike Authority may be transferred at any time prior to the closing of the books to any other allocation or subdivision of any other

allocation made by the Legislature for the use of the Maine Turnpike Authority for the same calendar year. Any balance of any other allocation or subdivision of any other allocation made by the Legislature for the Maine Turnpike Authority that at any time is not required for the purpose named in the allocation or subdivision may be transferred at any time prior to the closing of the books to any other allocation or subdivision of any other allocation made by the Legislature for the use of the Maine Turnpike Authority for the same calendar year subject to review by the joint standing committee of the Legislature having jurisdiction over transportation matters. Financial statements describing the transfer, other than a transfer from "General Contingency," must be submitted by the Maine Turnpike Authority to the Office of Fiscal and Program Review 30 days before the transfer is to be implemented. In the case of extraordinary emergency transfers, the 30-day prior submission requirement may be waived by vote of the committee. These financial statements must include information specifying the accounts that are affected, amounts to be transferred, a description of the transfer and a detailed explanation as to why the transfer is needed.

**Sec. 3. Encumbered balance at year-end.** At the end of each calendar year, encumbered balances may be carried to the next calendar year.

**Sec. 4. Supplemental information.** As required by the Maine Revised Statutes, Title 23, section 1961, subsection 6, the following statement of the revenues in 2024 that are necessary for capital expenditures and reserves and to meet the requirements of any resolution authorizing bonds of the Maine Turnpike Authority during 2024, including debt service and the maintenance of reserves for debt service and reserve maintenance, is submitted.

**Turnpike Revenue Bond Resolution Adopted April 18, 1991; Issuance of Bonds Authorized Pursuant to the Maine Revised Statutes, Title 23, section 1968, subsections 1 and 2-A**

Debt Service Fund	\$41,338,528
Reserve Maintenance Fund	40,000,000
General Reserve Fund, to be applied as follows:	
Capital Improvements	42,814,087
Debt Service Fund under the General Special Obligation Bond Resolution Adopted May 15, 1996; Issuance of Bonds Authorized Pursuant to the Maine Revised Statutes, Title 23, section 1968, subsection 2-A	2,444,050

TOTAL \$126,596,665

See title page for effective date.

**CHAPTER 14**

**S.P. 661 - L.D. 1656**

**An Act to Allow Student Representation Within the Governance of the University of Maine System**

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

**Sec. 1. P&SL 1865, c. 532, §4, first ¶**, as amended by PL 1985, c. 779, §89, is further amended to read:

**Sec. 4. Board of Trustees.** The Board of Trustees of the University of Maine System ~~shall consist~~ consists of ~~16~~ 17 members.

**Sec. 2. P&SL 1865, c. 532, §4, sub-§3**, as repealed and replaced by PL 1987, c. 735, §73, is repealed and the following enacted in its place:

**3. Student members.** By July 1, 2024, 2 of the members appointed by the Governor and subject to review by the joint standing committee of the Legislature having jurisdiction over education matters and confirmation by the Legislature must be full-time matriculated students in good standing of the University of Maine System. One student member must be an undergraduate student and one student member must be a graduate student or a student at the University of Maine School of Law.

The Governor shall appoint the undergraduate student member based on the joint recommendation of the undergraduate student government associations representing each of the student bodies at the University of Maine, the University of Maine at Augusta, the University of Maine at Farmington, the University of Maine at Fort Kent, the University of Maine at Machias, the University of Maine at Presque Isle and the University of Southern Maine. The Governor shall appoint the graduate student member based on the joint recommendation of the graduate student government associations representing each of the graduate student bodies at the University of Maine, the University of Southern Maine and the University of Maine School of Law. The 2 student members may not be from the same institution and for each student seat, except for the initial appointments, the student member must be enrolled at a different institution than the student's immediate predecessor. If the student government associations do not make a unanimous joint recommendation, the Governor shall appoint the student members from the student bodies at

the Governor's discretion and rotate the appointment between the institutions.

A student member is a full voting member of the board of trustees and serves a 2-year term until a successor is appointed, except in the event of a student member no longer being a student at the University of Maine System, at which point the seat is vacated until a successor is appointed.

The board of trustees shall adopt a policy to carry out this subsection. The board of trustees must incorporate input from the student members into the policy and provide the policy to the joint standing committee of the Legislature having jurisdiction over education matters by November 6, 2024.

**Sec. 3. Application.** That section of this Act that repeals and replaces Private and Special Law 1865, chapter 532, section 4, subsection 3 does not apply to any student member serving on the Board of Trustees of the University of Maine System at the time of the effective date of this Act.

See title page for effective date.

**CHAPTER 15**

**S.P. 679 - L.D. 1692**

**An Act to Create the Guilford-Sangerville Utilities 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**, the residents of the Town of Guilford and the Town of Sangerville are in immediate need of forming a joint utility for the purposes of cost savings and rate stabilization; 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. Territorial limits; corporate name; purposes.** The inhabitants and territory within the Town of Guilford and the Town of Sangerville, in the County of Piscataquis, constitute a public municipal corporation under the name of "Guilford-Sangerville Utilities District," referred to in this Act as "the district," for the purpose of supplying the inhabitants of the district with pure water for domestic, sanitary, manufacturing and municipal purposes and to construct, maintain, operate and provide the sewers with all their appurtenances.