

MAINE STATE LEGISLATURE

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STATE ARCHIVES
MAINE
AUGUSTA

ELECTIONS
-1983
(NOV)

Initiated Bill Bond Issues and Proposed Constitutional Amendments

In Accordance with an Initiated Bill, Acts
and Resolutions Passed by the 111th
Legislature at the First Regular
and First Special Sessions

Initiative

1. "Shall Maine Repeal the Hunting Season on Moose?"

Bond Issues

2. General Fund Bond Issue in the Amount of \$720,000 for County Courthouse Handicapped Accessibility.
3. Authorize Bond Issue in the Amount of \$24,600,000 for Highway and Bridge Improvements to Match Federal Funds and to Accelerate the Improvement of Town Way Bridges.
4. Authorize a Bond Issue in the Amount of \$21,094,000 for State Facilities Construction, Renovations and Improvements and Construction and Improvements of Municipal Facilities and to Deauthorize Unused Portions of Previous Bond Issues.
5. Authorize a General Fund Bond Issue in the Amount of \$11,875,000 for the Purpose of Making Air and Sea Transportation Improvements.

Constitutional Amendments

6. "Shall the Constitution of Maine be amended to allow the State to create a property tax exemption for watercraft without being required to reimburse municipalities for fifty percent of the property tax revenue loss?"
7. "Shall the Constitution of Maine be amended to require two-thirds vote of the elected members of the Legislature to expend any principal amount of the Mining Excise Tax Trust Fund or any successor funds?"
8. "Shall the Constitution of Maine be amended to change the municipal property tax loss reimbursement provisions and to change the penalty payable upon the change of use of land containing minerals which is being valued at current use?"



1983

To be Voted Upon at the Special Election, Tuesday,
November 8, 1983

RODNEY S. QUINN
Secretary of State

Appropriation 1060.1

NOV 2 1983

The issuing of bonds by the State of Maine is the way in which the State borrows money for purposes designated in the legislation authorizing the issue. The following is a summary of the bonded indebtedness of the State of Maine as of June 30, 1983:

Bonds Outstanding and Unpaid to Mature Through 2006	\$300,321,685.00
Interest to be Repaid on Bonds Issued	<u>138,569,373.00</u>
Total to be Repaid on Bonds Issued	<u>\$438,891,058.00</u>
Additional Bonds Authorized But Not Yet Issued	\$ 42,243,082.70
Limit of Contingent Bonds Liability Authorized by Constitution and Laws But Unissued	<u>67,357,832.00</u>
Total Bonds Authorized But Unissued	<u>\$109,600,914.70</u>
Total Additional Bonds to be Authorized if Ratified by Voters	\$ 58,289,000.00
Potential New Estimate of Interest	\$ 54,471,070.00

When money is borrowed by issuing bonds, the State must repay not only the principal amount of the bonds but interest on that amount as well. The amount of interest to be paid will vary depending upon the rate of interest and the years of maturity at the time of issuance; an estimate of the total interest that may reasonably be expected to be paid on the issues submitted herewith for ratification is \$54,471,070.00 if the bonds are issued for the full statutory debt retirement period. The total principal and interest to be repaid over the life of the bonds on the issues submitted herewith if ratified is thus estimated to be \$112,760,070. The amount that must be paid in the present fiscal year (July 1, 1983 to June 30, 1984) for debt already outstanding is \$32,926,685 in principal and \$19,601,405 in interest, a total of \$52,528,090.

Samuel Shapiro
Treasurer of State

STATE OF MAINE

To the Legislature of the State of Maine:

In accordance with Section 18 of Article IV, Part Third of the Constitution of the State of Maine, the undersigned electors of the State of Maine, qualified to vote for Governor, residing in said State, whose names have been certified, hereby respectfully propose to the Legislature for its consideration the following entitled bill: AN ACT to Repeal the Law Providing an Open Season on Moose.

The full text of said Act is printed on page 1 of this Petition.

Be it Enacted by the People of the State of Maine, as follows:

12 M.R.S.A. §§ 7463-A and 7464 as enacted by P.L. 1981, c. 118 are repealed.

STATEMENT OF FACT

This bill would repeal the present law permitting the hunting of moose.

STATE OF MAINE PROCLAMATION

WHEREAS, written petitions bearing the signatures of 39,942 electors of this State, which number is in excess of ten percent of the total vote cast in the last gubernatorial election preceding the filing of such petitions, as required by Article IV, Part Third, Section 18 of the Constitution of Maine, were addressed to the Legislature of the State of Maine and were filed in the office of the Secretary of State within fifty days after the convening of the One Hundred and Eleventh Legislature in First Regular Session, requesting that the Legislature consider a bill entitled: "AN ACT to Repeal the Law Providing an Open Season on Moose;" and

WHEREAS, the initiated bill, "AN ACT to Repeal the Law Providing an Open Season on Moose" received a unanimous "Ought Not to Pass" report of the Joint Standing Committee on Fisheries and Wildlife the House of Representatives accepted the "Ought Not to Pass" report on May 4, 1983, and the Senate accepted the "Ought Not to Pass" report on May 5, 1983, thus the bill failed enactment; and

WHEREAS, under the provisions of Article IV, Part Third, Section 18 of the Constitution of Maine, such election must be held in November of the year in which the petition is filed, by proclamation;

NOW, THEREFORE, I, JOSEPH E. BRENNAN, Governor of the State of Maine, acting under the provisions of Article IV, Part Third, Section 18 of the Constitution of Maine, do hereby proclaim that an election shall be called for the Tuesday following the first Monday in November, being the eighth day of the month, in the Year of Our Lord, One Thousand Nine Hundred and Eighty-three.

IN TESTIMONY WHEREOF, I have caused the Great Seal of the State to be hereunto affixed GIVEN under my hand at Augusta this twenty-seventh day of June in the Year of our Lord One Thousand Nine Hundred and Eighty-three.



RODNEY S. QUINN
Secretary of State

JOSEPH E. BRENNAN
Governor

Initiative

"Shall Maine Repeal the Hunting Season on Moose?"

INTENT AND CONTENT

This initiated bill would repeal Maine's current hunting season on moose.

A "YES" vote approves the repeal of the hunting season on moose.

A "NO" vote disapproves the repeal of the moose hunting season.

STATE OF MAINE

CHAPTER 57

PRIVATE AND SPECIAL LAWS OF 1983

AN ACT to Authorize a General Fund Bond Issue in the Amount of \$720,000 for County Courthouse Handicapped Accessibility.

Preamble. Two-thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State for the construction and improvement of municipal facilities.

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

Sec. 1. Issue of bonds to provide for county courthouse handicapped accessibility. The Treasurer of State may, under the direction of the Governor, issue from time to time, serial coupon bonds in the name and in behalf of the State to an amount not exceeding \$720,000 for the purpose of raising funds to provide for county courthouse handicapped accessibility funds as authorized by section 6. These bonds shall be deemed a pledge of the faith and credit of the State. The bonds shall not run for a longer period than 20 years from the date of the original issue thereof. Any issuance of bonds may contain a call feature at the discretion of the Treasurer of State with the approval of the Governor.

Sec. 2. Records of bonds issued to be kept by State Auditor and Treasurer of State. The State Auditor shall keep an account of the bonds, showing the number and amount of each, the date when payable and the date of delivery thereof to the Treasurer of State, who shall keep an account of each bond, showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of sale and the date when payable.

Sec. 3. Sale, how negotiated, proceeds appropriated. The Treasurer of State may negotiate the sale of these bonds by direction of the Governor, but no such bond may be loaned, pledged or hypothecated in behalf of the State. The proceeds of the sales of these bonds, which shall be held by the Treasurer of State and paid by him upon warrants drawn by the Governor, are appropriated to be used solely for the purposes set forth in this Act.

Sec. 4. Interest and debt retirement. Interest due or accruing upon any bonds issued under this Act and all sums coming due for payment of bonds at maturity shall be paid by the Treasurer of State.

Sec. 5. Disbursement of bond proceeds. The proceeds of the bond shall be expended under the direction and supervision of the State Director of Public Improvements.

Sec. 6. Allocations from General Fund bond issue. The following sums are allocated from the General Fund bond issue.

FINANCE AND ADMINISTRATION, DEPARTMENT OF

County courthouse handicapped accessibility	\$ 720,000
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Sec. 7. Bonds authorized but not issued. Any bonds authorized but not issued, or for which bond anticipation notes have not been issued within 5 years of the ratification of this Act, shall be deauthorized and may not be issued, provided that the Legislature may, within 2 years after the expiration of that 5-year period, extend the period for issuing any remaining unissued bonds or bond anticipation notes for an additional amount of time not to exceed 5 years.

Sec. 8. Unexpended bond proceeds. Any bond proceeds which have not been expended 10 years after the date of the sale of the bonds shall lapse to General Fund debt service.

Sec. 9. Contingent upon ratification of bond issue. Sections 1 to 8 shall not become effective unless and until the people of the State have ratified the issuance of bonds as set forth in this Act.

Sec. 10. Statutory referendum procedure; submission at statewide election; effective date. This Act shall be submitted to the legal voters of the State at a statewide election to be held on Tuesday following the first Monday in November following passage of this Act. The city aldermen, town selectmen and plantation assessors of this State shall notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Act by voting on the following question:

"Shall a bond issue be authorized in the amount of \$720,000 to provide funds required to meet the capital needs to provide for physical access to county courthouses for the handicapped?"

The legal voters of each city, town and plantation shall vote by ballot on this question and shall designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns and, if it appears that a majority of the legal voters are in favor of the Act, the Governor shall proclaim that fact without delay, and the Act shall become effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Act necessary to carry out the purpose of this referendum.

Approved September 9, 1983

INTENT AND CONTENT

This Act would authorize the Treasurer, under the direction of the Governor, to issue serial coupon bonds in an amount not to exceed \$720,000 to be used to increase physical accessibility of county courthouses to the handicapped.

These bonds would run for a period no longer than 20 years from the date of their issue and would be backed by the full faith and credit of the State.

A "YES" vote approves authorization of this bond issue of \$720,000 for improving physical access to county courthouses for the handicapped.

A "NO" vote disapproves authorization of this bond issue.

Total Estimated Debt Service of \$1,392,840 of which Principal is \$720,000, Estimated Interest at 8.90% over 20 years is \$672,840.

STATE OF MAINE

CHAPTER 40

PRIVATE AND SPECIAL LAWS OF 1983

AN ACT to Authorize Bond Issue in the Amount of \$24,600,000 for Highway and Bridge Improvements to Match Federal Funds and to Accelerate the Improvement of Town Way Bridges.

Preamble. Two-thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine to provide funds for the purpose of improving state highways and bridges and to accelerate the improvement of town way bridges.

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

Sec. 1. Bond issue of \$24,600,000 authorized. In addition to state highway and bridge bonds heretofore authorized, the Treasurer of State is authorized, under the direction of the Governor, to issue from time to time, serial coupon bonds in the name and behalf of the State to an amount not exceeding \$24,600,000 payable serially at the Treasury Department within 20 years from date of issue. The bonds and coupons shall be of such denomination and form and upon such terms and conditions, not inconsistent herewith, as the Governor shall direct. The proceeds from the sale of bonds shall be used for highway and bridge improvements in accordance with allocations made by the Legislature. The bonds shall be deemed a pledge of the faith and credit of the State. The bonds shall be issued from time to time so as to meet the needs of highway and bridge improvements. The bonds, when paid at maturity or otherwise retired, shall not be reissued, but may be refunded on terms more favorable to the State than those in the original issue. Any bonds authorized but not issued, or for which bond anticipation notes have not been issued within 5 years of the ratification of this Act, shall be deauthorized and may not be issued, provided that the Legislature may, within 2 years after the expiration of that 5-year period, extend the period for issuing any remaining unissued bonds or bond anticipation notes for an additional amount of time not to exceed 5 years.

Sec. 2. Allocation of Highway Fund bond issue. Receipt of the Highway Fund for the fiscal years, from July 1, 1983, to June 30, 1984, and from July 1, 1984, to June 30, 1985, from the proceeds of the sale of bonds shall be segregated, apportioned and expended as designated in the following schedule:

Policy Area	1983-84	1984-85
Identity Program		
Transportation		
TRANSPORTATION, DEPARTMENT OF		
Highway-Highway and Bridge Improvements	\$10,800,000	\$10,800,000
Highway-Town Way Bridge Improvements	1,500,000	1,500,000
Total Allocations	\$12,300,000	\$12,300,000

Sec. 3. Contingent upon ratification of bond issue. Sections 1 and 2 of this Act shall not become effective unless the people of the State shall have ratified the issuance of bonds as set forth in this Act.

Sec. 4. Statutory referendum procedure; submission at statewide election; effective date. This Act shall be submitted to the legal voters of the State of Maine at a special statewide election to be held on the Tuesday following the first Monday of November following passage of this Act. The city aldermen, town selectmen and plantation assessors of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Act by voting on the following question:

“Shall a bond issue be ratified in the amount of \$24,600,000 for bridge and highway improvements?”

The legal voters of each city, town and plantation shall vote by ballot on this question, and shall designate their choice by a cross or check mark placed within a corresponding square below the word “Yes” or “No”. The ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns and, if it appears that a majority of the legal votes are in favor of the Act, the Governor shall proclaim that fact without delay, and the Act shall become effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Act necessary to carry out the purposes of this referendum.

Approved June 17, 1983

INTENT AND CONTENT

This Act would authorize the Treasurer, under the direction of the Governor, to issue serial coupon bonds in an amount not to exceed \$24,600,000 to be used for highway and bridge improvements. The funds would be used to match federal funds and to accelerate the improvement of town way bridges.

The bonds would run for a period no longer than 20 years from the date of issue and would be backed by the full faith and credit of the State.

A “YES” vote approves authorization of the bond issue in the amount of \$24,600,000 for improvement of highways and bridges.

A “NO” vote disapproves authorization of the bond issue.

Total Estimated Debt Service of \$47,588,700 of which Principal is \$24,600,000, Estimated Interest at 8.90% over 20 years is \$22,988,700.

STATE OF MAINE

CHAPTER 585

PUBLIC LAWS OF 1983

AN ACT to Authorize a Bond Issue in the Amount of \$21,094,000 for State Facilities Construction, Renovations and Improvements and Construction and Improvements of Municipal Facilities and to Deauthorize Unused Portions of Previous Bond Issues.

Preamble. Two-thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine to provide the capital improvements, construction, renovations, equipment and furnishings for the various state departments.

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

Sec. 1. 20-A MRSA § 15708, sub-§ 1, as enacted by P.L. 1981, c. 693, §§ 5 and 8, is amended to read:

1. *Exceptions.* The authority, acting on behalf of the State, may insure the payment of its revenue bonds. To this end, the faith and credit of the State shall be pledged, consistent with the terms and limitations of the Constitution of Maine, Article IX, Section 14-C. **The amount of these revenue bonds shall not exceed \$4,800,000 in the aggregate.** The authority shall, in the resolution authorizing the issuance of these revenue bonds, provide that the payment of these revenue bonds shall be insured by the State. On the adoption of the resolution, the payment of these revenue bonds shall be deemed to have been insured by the State and the faith and credit of the State to have been pledged to that payment. The insurance shall take effect without obtaining the consent of any agency of the State, and without any other proceedings or conditions except as specifically required by this chapter.

Sec. 2. 27 MRSA § 505, sub-§ 2, paragraph D is enacted to read:

D. The director may administer a program of state financed grants for the stabilization and restoration of unique historic structures consistent with the following conditions.

(1) An applicant for a grant must be either a governmental or a nonprofit organization.

(2) The historic structure which is the subject of the grant application must be on the National Register of Historic Places as provided by the National Historic Preservation Act of 1966 or have been nominated to the register by the commission.

(3) An applicant must provide assurance that public access to the structure will be reasonably provided with respect to admission fees, visitation hours and physical accessibility, while maintaining the historical integrity of the structure.

(4) Applications must address, to the satisfaction of the commission, the applicant's organizational and financial capacity to provide long-term maintenance of that structure which is the subject of the application.

(5) Grants shall not exceed 50% of the total expense of the proposed project, except that grants to this State may be 100% of the total expense of the proposed project.

(6) All grants shall be subject to final approval, by the commission.

(7) Prior to final approval, the commission may require the applicant to execute a covenant to secure continued public access and maintenance of the historic integrity of the structure, and a right of first refusal for the State.

With respect to the quality of work to be performed through this grant program, the commission and the director shall be guided by the United States Secretary of the Interior's Standards for Rehabilitation.

Sec. 3. P. & S.L. 1979, c. 106, § 1, 2nd sentence, is amended to read:

Any bonds issued pursuant to this authorization shall be issued prior to July 1, ~~1985~~ 1983.

Sec. 4. Bond issue; unused portion of Private and Special Law 1979, chapter 60, section 2, deauthorized. The amount of \$2,082.70, which was authorized but unissued in bond under Private and Special Law 1979, chapter 60, section 2, shall be deauthorized.

Sec. 5. Bond issue; unused portion of Private and Special Law 1977, chapter 70, sections 1 and 7, deauthorized. The amount of \$3,000, which was authorized but unissued in bond under Private and Special Law 1977, chapter 70, sections 1 and 7, shall be deauthorized.

Sec. 6. Issue of bonds to provide for capital improvements, construction, renovations, equipment and furnishings for state departments and for the construction and improvement of

municipal facilities. The Treasurer of State may, under the direction of the Governor, issue from time to time serial coupon bonds in the name and behalf of the State to an amount not exceeding \$21,094,000 for the purpose of raising funds to provide for such capital improvements, construction, renovations, equipment and furnishings as authorized by sections 11 to 15. The bonds shall be deemed a pledge of the faith and credit of the State. The bonds shall not run for a longer period than 20 years from the date of the original issue thereof. Any issuance of bonds may contain a call feature at the discretion of the Treasurer of State with the approval of the Governor.

Sec. 7. Records of bonds issued to be kept by the State Auditor and Treasurer of State. The State Auditor shall keep an account of the bonds, showing the number and amount of each, the date when payable and the date of delivery thereof to the Treasurer of State who shall keep an account of each bond showing the number thereof, the name of the successful bidder to whom sold, the amount received for the bond, the date of sale and the date when payable.

Sec. 8. Sale, how negotiated; proceeds appropriated. The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no such bond may be loaned, pledged or hypothecated in behalf of the State. The proceeds of the sale of the bonds, which shall be held by the Treasurer of State and paid by him upon warrants drawn by the Governor, are appropriated to be used solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the projects in sections 11 to 15 shall lapse to the debt service account established for the retirement of these bonds.

Sec. 9. Interest and debt retirement. Interest due or accruing upon any bonds issued under this Act and all sums coming due for payment of bonds at maturity shall be paid by the Treasurer of State.

Sec. 10. Disbursement of bond proceeds. The proceeds of the bonds shall be expended under the direction and supervision of the State Director of Public Improvements, except for the following areas:

1. Hazardous waste clean-up. Hazardous waste clean-up shall be expended under the direction of the Commissioner of Environmental Protection solely for on-site labor and materials for cleaning and restoring land and water contaminated by hazardous substances and related transportation and removal costs;

2. Water pollution control. Water pollution control, which shall be under the direction and supervision of the Commissioner of Environmental Protection; and

3. Community development. Community development, which shall be under the direction and supervision of the Director of State Planning.

Sec. 11. Allocations from General Fund bond issue; hazardous wastes and water pollution control. The funds allocated by this section shall be expended for the following:

ENVIRONMENTAL PROTECTION,
DEPARTMENT OF

Hazardous Waste Cleanup Fund	\$2,000,000
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Any funds recovered from other parties in relation to hazardous waste clean-up for which funds allocated in this section have been expended shall revert to the General Fund debt service account.

Water Pollution Control	2,500,000
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Sec. 12. Allocation from General Fund bond issue; correctional facilities. The funds allocated by this section shall be expended for the following:

CORRECTIONS, DEPARTMENT OF

Correctional Facilities	\$7,500,000
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The funds allocated in this section are for the following projects:

Program Space - Maine Correctional Center	\$ 750,000
Female Unit - Maine Correctional Center	2,500,000
Perimeter Security - Maine Correctional Center	750,000
Segregation and Receiving Unit - Maine Correctional Center	1,925,000
Medium Security Unit - Maine Correctional Center	1,000,000
Add on Beds - Dorm III - Maine Correctional Center	105,000
Segregation - Charleston Correctional Facility	270,000
Planning and Engineering Costs	200,000
	\$7,500,000

Sec. 13. Allocation from General Fund bond issue; historic preservation. The funds allocated by this section shall be expended for the following:

EDUCATIONAL AND CULTURAL SERVICES,
DEPARTMENT OF

Restoration and preservation of historic buildings, various sites, statewide	\$1,500,000
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Sec. 14. Allocation from General Fund bond issue; community development. The funds allocated by this section shall be expended for the following:

EXECUTIVE DEPARTMENT

State Planning Office

Community Development Block Grant Program	\$2,000,000
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Sec. 15. Allocations from General Fund bond issue; capital construction program. The funds allocated by this section shall be expended for the following:

PUBLIC SAFETY, DEPARTMENT OF	\$1,494,000
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Crime lab and morgue construction, Augusta

JUDICIAL DEPARTMENT	\$1,100,000
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District Court combination, Bath-Brunswick

District Court relocation, Skowhegan

FINANCE AND ADMINISTRATION, DEPARTMENT OF	\$3,000,000
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Renovations and improvements to state parks; major projects at various state correctional facilities; renovations and improvements at vocational-technical institutes statewide; various projects at state armories; renovations and improvements at state mental health and mental retardation facilities; major projects at other state facilities and locations statewide.

Total	\$5,594,000
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Sec. 16. Transfer between items. The amount listed after each item is to be construed as a guide. Within each section, sections 11 to 15, any one or more amounts may be exceeded with the approval of the Governor by transfer from one item to another not exceeding 10% in the aggregate.

Sec. 17. Bonds authorized but not issued. Any bonds authorized but not issued, or for which bond anticipation notes have not been issued within 5 years of the ratification of this Act, shall be deauthorized and may not be issued, provided that the Legislature may, within 2 years after the expiration of that 5-year period, extend the period for issuing any remaining

unissued bonds or bond anticipation notes for an additional amount of time not to exceed 5 years. This section shall not apply to the water pollution control bonds in section 11.

Sec. 18. Unexpended bond proceeds. Any bond proceeds which have not been expended 10 years after the date of the sale of the bonds shall lapse to the General Fund debt service account.

Sec. 19. Contingent upon ratification of bond issue. Sections 6 to 15 shall not become effective unless and until the people of the State have ratified the issuance of bonds as set forth in this Act.

Sec. 20. Availability of matching funds. It is the intent of the Legislature that any of the improvements identified in this Act for which matching funds are required as indicated in federal law or state law or department programs shall have those matching funds available before state money is expended on the improvement. It is further the intent of the Legislature that any matching funds so received shall be expended in accordance with the plans on which these improvements are based, notwithstanding any legislative allocation limit.

Sec. 21. Appropriation balances at year end. At the end of each fiscal year, all unencumbered appropriation balances representing state moneys shall carry forward from year to year.

Sec. 22. Statutory referendum procedure; submission at statewide election; form of question; effective date. This Act shall be submitted to the legal voters of the State at a statewide election to be held on the Tuesday following the first Monday of November following passage of this Act. The city aldermen, town selectmen and plantation assessors of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Act by voting on the following question:

“Shall a bond issue be authorized in the amount of \$21,094,000 to provide for various state facilities’ projects and to provide for municipal facility improvements including: Necessary capital improvements at corrections’ facilities; stabilization restoration of the state’s most unique historic structures which are in public or nonprofit ownerships, such as forts, mansions, theaters, ships and lighthouses; a broad range of projects for improving, constructing, renovating, equipping and furnishing state departments’ physical plant facilities, ranging from new District Courts for the Bath-Brunswick and Skowhegan areas to the repair of roofs, masonry and boilers on a statewide priority basis; hazardous waste cleanup; water pollution control projects; and establishment of a public facilities’ grants program to assist municipalities in meeting their capital needs?”

The legal voters of each city, town and plantation shall vote by ballot on this question, and shall designate their choice by a cross or check mark placed within a corresponding square below the word “Yes” or “No.” The ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns and, if it appears that a majority of the legal votes are in favor of the Act, the Governor shall proclaim that fact without delay, and the Act shall become effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Act necessary to carry out the purpose of this referendum.

Approved September 9, 1983

INTENT AND CONTENT

This Act would authorize the Treasurer, under the direction of the Governor, to issue serial coupon bonds in an amount not to exceed \$21,094,000. The bonds issued under this Act would run for a period no longer than 20 years from the date of their issue and would be backed by the full faith and credit of the State. The funds raised by the selling of these bonds would be used for the following purposes:

1. \$2,000,000 would be allocated to the Hazardous Waste Cleanup Fund.
2. \$2,500,000 would be used for water pollution control.
3. \$7,500,000 would be used for capital improvements at the State’s correctional facilities.
4. \$1,500,000 would be used for the restoration and preservation of unique historic structures within the State.
5. \$2,000,000 would be used for public facilities grants to municipalities through the State Planning Office’s Community Development Block Grant Program.
6. \$1,494,000 would be used for the construction of a crime laboratory and morgue in Augusta.
7. \$1,100,000 would be used for the combination of the District Courts in Bath and Brunswick and the relocation of the District Court in Skowhegan.
8. \$3,000,000 would be used by the State Department of Finance and Administration for a number of repair and renovation projects at state correctional and mental health and mental retardation facilities, state parks, vocational-technical institutes, state armories and other facilities.

Any of these allocations may be increased by 10% by the Governor by deducting an equal amount from any other allocation.

In addition, the Act limits the authority of the Maine School Building Authority to insure the payment of its revenue bonds to \$4,800,000, and deauthorizes various bonds which were authorized in the past but unissued.

A "YES" vote approves authorization of this bond issue for construction, renovation and improvements of state facilities.

A "NO" vote disapproves the authorization of this bond issue.

Total Estimated Debt Service of \$40,806,343 of which Principal is \$21,094,000, Estimated Interest at 8.90% over 20 years is \$19,712,343.

STATE OF MAINE

CHAPTER 58

PRIVATE AND SPECIAL LAWS OF 1983

AN ACT to Authorize a General Fund Bond Issue in the Amount of \$11,875,000 for the Purpose of Making Air and Sea Transportation Improvements.

Preamble. Two-thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine to provide for air and sea transportation improvements.

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

Sec. 1. Bond issue of \$11,875,000 authorized. The Treasurer of State is authorized under the direction of the Governor to issue from time to time serial coupon bonds in the name and behalf of the State to an amount not exceeding \$11,875,000, payable serially at the State Treasury within 20 years from date of issue. Such bonds and coupons shall be of such denominations and form and upon such terms and conditions, not inconsistent with this Act, as the Governor shall direct. The proceeds from the sale of the bonds shall be used for transportation improvement as authorized by section 4. The bonds shall be deemed a pledge of the faith and credit of the State. The bonds shall be issued from time to time so as to meet the needs of the transportation improvement program. The bonds when paid at maturity or otherwise retired shall not be reissued, but may be refunded on terms more favorable to the State than those in the original issue.

Sec. 2. Interest and debt retirement. Interest due or accruing upon any bonds issued under this Act and all sums coming due for payment of bonds at maturity shall be paid by the Treasurer of State from any money in the State Treasury not otherwise appropriated.

Sec. 3. Disbursement of bond proceeds. The proceeds of the bonds appropriated to the Department of Transportation shall be expended under the direction and supervision of the State Director of Public Improvements to the extent required by law.

Sec. 4. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

TRANSPORTATION, DEPARTMENT OF

Airport improvements \$ 1,000,000

Cargo and ferry terminal improvements
and construction 10,000,000

This appropriation will be used as follows: (a) \$4,500,000 will be used to complete the development of the Sears Island terminal; (b) \$4,500,000 will be used to develop a public general cargo-handling facility in Portland; (c) Up to \$0.5 million of the \$4.5 million earmarked for the Portland facility could be used for a terminal for ferry services in Portland; and (d) \$1,000,000 will be used to match federal funds to rehabilitate and extend the Eastport breakwater, presently being used as a cargo pier.

Ferry service - new ferry and crew
quarters 875,000

The amount of \$775,000 is included in this program for the construction of a new ferry to be used by the Maine State Ferry Service in Penobscot Bay and \$100,000 for the replacement of crew quarters at Vinalhaven and Islesboro.

Total \$11,875,000

It is the intent of the Legislature that any of the improvements in this section for which matching funds are required, as indicated in federal or state laws or department programs, shall have the matching funds available before state money is expended on the improvement.

Sec. 5. Appropriation balances at year end. At the end of each fiscal year, all unencumbered appropriation balances representing state moneys shall carry forward from year to year.

Sec. 6. Acquisition of land. Land required for improvements undertaken directly by the Department of Transportation may be acquired for the purpose of making necessary improvements in the same manner as provided in the Revised Statutes, Title 23, section 154.

Sec. 7. Department of Transportation; authority. Consistent with existing law, in implementing this Act, the State, acting through the Department of Transportation, may enter into any agreements necessary to effect the purposes and authorization set forth in this Act.

Sec. 8. Bonds authorized but not issued. Any bonds authorized but not issued, or for which bond anticipation notes have not been issued within 5 years of the ratification of this Act, shall be deauthorized and may not be issued, provided that the Legislature may, within 2 years after the expiration of that 5-year period, extend the period for issuing any remaining unissued bonds or bond anticipation notes for an additional amount of time not to exceed 5 years.

Sec. 9. Unexpended bond proceeds. Any bond proceeds which have not been expended 10 years after the date of the sale of the bonds shall lapse to General Fund debt service.

Sec. 10. Transfer between items. The amount listed after each item is to be construed as a guide. Within section 4, any one or more amounts may be exceeded with the approval of the Governor by transfer from one item to another not exceeding 10% in the aggregate.

Sec. 11. Contingent upon ratification of bond issue. Sections 1 to 4 shall not become effective unless and until the people of the State have ratified the issuance of bonds as set forth in this Act.

Sec. 12. Statutory referendum procedure; submission at statewide election; form of question; effective date. This Act shall be submitted to the legal voters of the State of Maine at a statewide election to be held on the Tuesday following the first Monday of November following passage of this Act. The city aldermen, town selectmen and plantation assessors of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Act by voting on the following question:

“Shall a bond issue be authorized in the amount of \$11,875,000 to provide state funds which, together with

available matching funds from federal and other sources, will be utilized for capital improvement projects directed toward enhancing economic development and related support systems throughout the State and will encompass: \$1,000,000 for upgrading facilities at 33 airports; port and marine transportation facilities’ development as follows: Eastport area (\$1,000,000), Searsport (\$4,500,000) and Portland (\$4,500,000); and improvements to the state’s island ferry service, including a new vessel (\$775,000) to serve Penobscot Bay and \$100,000 for replacement of crew quarters at Vinalhaven and Islesboro?”

The legal voters of each city, town and plantation shall vote by ballot on this question, and shall designate their choice by a cross or check mark placed within a corresponding square below the word “Yes” or “No.” The ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns and, if it appears that a majority of the legal votes are in favor of the Act, the Governor shall proclaim that fact without delay, and the Act shall become effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Act necessary to carry out the purpose of this referendum.

Approved September 9, 1983

INTENT AND CONTENT

This Act would authorize the Treasurer, under the direction of the Governor, to issue serial coupon bonds in an amount not to exceed \$11,875,000. The bonds would run for a period no longer than 20 years from the date of their issue and would be backed by the full faith and credit of the State. The funds raised by the selling of these bonds would be used for the following purposes:

1. \$1,000,000 would be used for improvements at 33 airports.
2. \$4,500,000 would be used to complete development of the Sears Island terminal.
3. \$4,500,000 would be used to develop a public general cargo-handling facility in Portland, of which \$500,000 could be used for a terminal for ferry services in Portland.
4. \$1,000,000 would be used to rehabilitate and expand the breakwater in Eastport.
5. \$775,000 would be used for the construction of a new ferry for the Maine State Ferry Service in Penobscot Bay.

6. \$100,000 would be used for the replacement of crew quarters at Vinalhaven and Islesboro.

Any of these allocations may be increased by 10% by the Governor by deducting an equal amount from any other allocation.

A "YES" vote approves authorization of a bond issue in the amount of \$11,875,000 for the purpose of making air and sea transportation improvements.

A "NO" vote disapproves authorization of such a bond issue.

Total Estimated Debt Service of \$22,972,187 of which Principal is \$11,875,000, Estimated Interest at 8.90% over 20 years is \$11,097,187.

CHAPTER 3

CONSTITUTIONAL RESOLUTION OF 1983

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide that the State may Enact Property Tax Exemptions Relating to Watercraft not Subject to Fifty Percent Reimbursement.

Constitutional amendment. RESOLVED: Two-thirds of each branch of the Legislature concurring, that the following amendment to the Constitution of Maine be proposed:

Constitution, Art. IV, Pt. 3, § 23, as enacted by CR 1977, c. 5, is amended by adding at the end a new paragraph to read:

This section shall allow, but not require, reimbursements for statutory property tax exemptions or credits for watercraft.

Constitutional referendum procedure; form of question; effective date. Resolved: That the city aldermen, town selectmen and plantation assessors of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, at a statewide election, on the Tuesday following the first Monday of November following the passage of this resolution, to vote upon the ratification of the amendment proposed in this resolution by voting upon the following question:

"Shall the Constitution of Maine be amended to allow the State to create a property tax exemption for watercraft without being required to reimburse municipalities for fifty percent of the property tax revenue loss?"

The legal voters of each city, town and plantation shall vote by ballot on this question, and shall designate their choice by a cross or check mark placed within the corresponding square below the word "Yes" or "No." The ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns and, if it appears that a majority of the legal votes are in favor of the amendment, the Governor shall proclaim that fact without delay and the amendment shall become part of the Constitution on January 1, 1984.

Secretary of State shall prepare ballots. Resolved: That the Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this resolution necessary to carry out the purposes of this referendum.

Resolution according to Article X, Section 4 of the Constitution of the State of Maine.

Received in the office of the Secretary of State June 23, 1983.

INTENT AND CONTENT

This proposed amendment to the Maine Constitution would permit the Legislature to create a property tax exemption for watercraft without being required to reimburse the municipalities for 50% of their property tax revenue loss resulting from such an exemption.

A "YES" vote approves allowing the State to create an exemption or credit for watercraft without reimbursing the municipalities.

A "NO" vote disapproves allowing the State to create such an exemption without reimbursing the municipalities.

CHAPTER 2

CONSTITUTIONAL RESOLUTION OF 1983

RESOLUTION, Proposing amendments to the Constitution of Maine to Change the Municipal Property Tax Loss Reimbursement Formula, to Change the Penalty for the Change of Use of Land Subject to Current Use Valuation and to Require a Two-thirds Vote for the Expenditure of Funds from the Mining Excise Tax Trust Fund.

Constitutional amendment. RESOLVED: Two-thirds of each branch of the Legislature concurring, that the following amendments to the Constitution of Maine be proposed:

Constitution, Art. IV, Pt. 3, § 23, as enacted by CR 1977, c. 5, is amended to read:

Section 23. Municipalities reimbursed annually. The Legislature shall annually reimburse each municipality from state tax sources for **not less than 50%** of the property tax revenue loss suffered by that municipality during the previous calendar year because of statutory property tax exemptions or credits enacted after April 1, 1978. The Legislature shall enact appropriate legislation to carry out the intent of this section.

This section shall allow, but not require, reimbursement for statutory property tax exemptions or credits for unextracted minerals.

Constitution, Art. IX, § 8, sub-§ 2, as repealed and replaced by CR 1977, c. 6, is amended to read:

2. The Legislature shall have power to provide for the assessment of the following types of real estate whenever situated in accordance with a valuation based upon the current use thereof and in accordance with such conditions as the Legislature may enact:

- A. Farms and agricultural lands, timberlands and woodlands;
- B. Open space lands which are used for recreation or the enjoyment of scenic natural beauty; and
- C. Lands used for game management or wildlife sanctuaries.

In implementing paragraphs A, B and C, the Legislature shall provide that any change of use higher than those set forth in paragraphs A, B and C, except when the change is occasioned by a transfer resulting from the exercise or threatened exercise of the power of eminent domain, shall result in the imposition of a minimum penalty equal to the tax which would have been imposed over the 5 years preceding that change of use had that real estate been assessed at its highest and best use, less all taxes paid on that real estate over the preceding 5 years, and interest, upon such reasonable and equitable basis as the Legislature shall determine. **Any statutory or constitutional penalty imposed as a result of a change of use, whether imposed before or after the approval of this subsection, shall be determined without regard to the presence of minerals, provided that, when payment of the penalty is made or demanded, whichever occurs first, there is in effect a state excise tax which applies or would apply to the mining of those minerals.**

Constitution, Art. IX, § 20 is enacted to read:

Section 20. Mining Excise Tax Trust Fund. The principal amount of the Mining Excise Tax Trust Fund or any successor fund may not be expended unless the expenditure is approved

in a separate measure by a two-thirds vote of all the members elected to each House of the Legislature and by the Governor.

Constitutional referendum procedure; form of question; effective date. Resolved: That the city aldermen, town selectmen and plantation assessors of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, at a statewide election, on the Tuesday following the first Monday of November following the passage of this resolution, to vote upon the ratification of the amendments proposed in this resolution by voting upon the following questions:

“Shall the Constitution of Maine be amended to change the municipal property tax loss reimbursement provisions and to change the penalty payable upon the change of use of land containing minerals which is being valued at current use?”

“Shall the Constitution of Maine be amended to require two-thirds vote of the elected members of the Legislature to expend any principal amount of the Mining Excise Tax Trust Fund or any successor funds?”

The legal voters of each city, town and plantation shall vote by ballot on these questions, and shall designate their choice by a cross or check mark placed within the corresponding square below the word “Yes” or “No.” The ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns and, if it appears that a majority of the legal votes are in favor of the amendments, the Governor shall proclaim that fact without delay and the amendments shall become part of the Constitution on January 1, 1984.

Secretary of State shall prepare ballots. Resolved: That the Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this resolution necessary to carry out the purposes of this referendum.

Resolution according to Article X, Section 4 of the Constitution of the State of Maine.

Received in the office of the Secretary of State June 21, 1983.

INTENT AND CONTENT

These proposed amendments to the Constitution would make four changes in the State's current constitutional structure for property taxation.

First, proposed amendment number eight would permit the Legislature to reimburse municipalities for more than 50% of

the property tax revenue loss caused by the enactment of statutory property tax exemptions or credits.

It would also permit, but not require, the Legislature to reimburse municipalities for statutory property tax exemptions or credits for unextracted minerals.

The third change which this proposed amendment would make would be to require the penalty provided under Article IX, § 8 of the Maine Constitution for a change in use of property to be determined without considering the presence of minerals in that property, so long as the mining of minerals would have been subject to a state excise tax at the time when the determination of change of use is made.

Proposed amendment number seven would require a two-thirds vote of all the members elected to each House of the Legislature and approval by the Governor in order for any amounts to be expended from the Mining Excise Tax Trust Fund or its successor.

The constitutional resolution presents two separate questions for action by the voters.

A "YES" vote on the first* question approves amending the Constitution of Maine to permit the Legislature to reimburse municipalities for more than 50% of the property tax revenue loss caused by statutory property tax exemptions or credits; approves amending the Constitution to permit, but not require, the Legislature to reimburse municipalities for statutory property tax exemptions or credits for unextracted minerals; and approves changing the penalty resulting from a change of use of land containing minerals so that the presence of minerals will be ignored in certain situations.

A "NO" vote disapproves these changes.

A "YES" vote on the second** question proposed by this resolution approves amending the Maine Constitution to require a two-thirds vote of the Legislature to expend principal amounts from the Mining Excise Tax Trust Fund or any successor funds.

A "NO" vote on the second question disapproves requiring such a two-thirds vote.

*The "first question" of the Resolution appears as number 8 on the ballot.

**The "second question" of the Resolution appears as number 7 on the ballot.