

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

VF
c.1

**Initiated Bill
Bond Issues and
Proposed Constitutional
Amendments**

ELECTIONS
-1987
(NOV)

In accordance with an Initiated Bill, Acts and Resolutions Passed by the 113th Legislature at First Regular Session

Initiated Bill

1. Do you want to let any power plant like Maine Yankee operate after July 4, 1988, if it makes high level nuclear waste?

Bond Issues

2. "Do you favor a \$8,000,000 bond issue for cleaning up and closing solid waste landfills that pose a hazard to public health and to ground water quality?"
3. "Shall a bond issue be authorized in the amount of \$8,300,000 for construction of sewage treatment facilities in communities throughout the State?"
4. "Shall the State create the Maine Job Development Program to be funded with a \$6,000,000 bond issue?"
5. "Do you favor a \$3,100,000 bond issue for pier reconstruction at the Maine Maritime Academy?"
6. "Do you favor a \$3,000,000 bond issue for removal of oil storage tanks and related ground water restoration?"
7. "Do you favor a \$8,000,000 bond issue for capital repairs and improvements to state facilities and the removal of asbestos from state facilities?"
8. "Do you favor a \$5,000,000 bond issue for acquisition of school buses for Maine public schools?"
9. "Do you favor a \$26,500,000 bond issue for highway, bridge and airport improvements and to reduce ground water pollution resulting from the storage of state and municipally-owned highway materials?"
10. "Shall a bond issue for the purchase of public land access for Maine's people in the amount of \$35,000,000, to be issued over a period of 4 years be approved?"
11. "Do you favor a \$6,000,000 bond issue for detection and removal of asbestos hazards in state facilities and public schools?"

Constitutional Amendments

12. "Shall the Constitution of Maine be amended to clarify the rights of citizens to keep and bear arms?"
13. "Shall the Constitution of Maine be amended to require a candidate for State Representative or State Senator to be a resident in the district which the candidate seeks to represent at the time he is nominated to be placed on any election ballot?"



To be Voted Upon at the Special Election, Tuesday,
November 3, 1987

RODNEY S. QUINN
Secretary of State

Appropriation 1060.1

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, 1987.

Bonds Outstanding and Unpaid to Mature	
Through 2008	\$296,575,000
Interest to be Repaid on Bonds Issued	<u>117,893,223</u>
Total to be Repaid on Bonds Issued	<u>\$414,468,223</u>
Additional Bonds Authorized But Not	
Yet Issued	\$ 93,320,000
Limit of Contingent Bonds Liability	
Authorized by Constitution and Laws	
But Unissued	<u>87,249,887</u>
Total Bonds Authorized But Unissued	<u>\$180,569,887</u>
Total Additional Bonds to be Authorized	
if Ratified by Voters	\$108,900,000
Potential New Estimate of Interest	\$ 50,006,550

When money is borrowed by issuing bonds, the State must repay not only the principal amount of the bonds but interest on the 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 \$50,006,550 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 \$158,906,550. The amount that must be paid in the present fiscal year (July 1, 1987 to June 30, 1988) for debt already outstanding is \$38,570,000 in principal and \$19,854,931.25 in interest, a total of \$58,424,931.25.

Samuel Shapiro
Treasurer of State

State of Maine

TO THE 113th 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 REGARDING THE GENERATION OF ELECTRIC POWER AND HIGH LEVEL RADIOACTIVE WASTE”

The full text of said Act is printed on page one of this petition.

DO YOU WANT TO LET ANY POWER PLANT LIKE MAINE YANKEE OPERATE AFTER JULY 4, 1988, IF IT MAKES HIGH LEVEL NUCLEAR WASTE?

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

Sec. 1. 35 MRSA Sec. 3367 is enacted to read:

§ 3367. Declaration of findings:

The people of the State of Maine declare:

- A. That there currently exists no acceptable means to dispose of high level nuclear waste;
- B. That the people of Maine are inalterably opposed to the consideration of any Maine location for the disposal or long-term storage of high level nuclear waste;
- C. That it is irresponsible to continue the production of high level nuclear waste in light of the above.

Sec. 2.35 MRSA Sec. 3368 is enacted to read:

§ 3368. Production of high level nuclear waste:

After July 4, 1988, no nuclear fission thermal power plant may generate electric power within the State by means which result in the production of high level nuclear waste.

STATEMENT OF FACT

The purpose of this bill is to provide a mechanism by which the voters of this State may express their will on the continued generation of electric power which results in the production of high level radioactive waste within the State. Sec. 1 of this bill makes a declaration of findings concerning the inconsistency in the continued production of high level nuclear waste in light of the federal government's failed program to dispose of it. Sec. 2 of the bill prohibits, subject to voter approval, the production of high level radioactive waste after July 4, 1988, by electricity-generating nuclear power plants operating in Maine. Enactment and popular approval of this bill is an exercise of traditional state authority to regulate the generation, sale and transmission of electric power for purposes other than protection against radiation hazards.

The prohibition on the generation of high level radioactive waste after July 4, 1988, which this bill proposes to present to the voters is based on the following:

1. It is irresponsible to continue the production of high level nuclear waste when there is clearly no acceptable method of disposal;

2. Most of the high level radioactive waste produced in Maine is produced by the generation of electric power. The federal government has failed to provide a reasonable method to dispose of that waste, despite years of study and assurances that disposal facilities are feasible and, indeed, forthcoming. Although there is widespread public opposition to the location of a high level disposal site in Maine, Maine is, nevertheless, under active consideration for such a site. Maine will make the strongest and most responsible argument to be dropped from consideration by the federal government as a site by discontinuing the production of high level nuclear waste within its borders.
3. There are unacceptably high economic costs associated with the generation, isolation, transportation and ultimate disposal of high level radioactive waste produced by the generation of electric power.
4. Much of the low-level radioactive waste produced in Maine is also the result of the generation of electric power. Maine is currently faced with the problem of finding a disposal site for its low-level radioactive waste. Ceasing the production of high level radioactive waste will result in curtailing the production of low-level radioactive waste which will make it easier for Maine to meet the responsibility imposed by federal law to dispose of its low-level radioactive waste.
5. By delaying the prohibition imposed by this bill to July 4, 1988, a reasonable time is provided to allow for the orderly transition to other methods of electrical generation.

**STATE OF MAINE
PROCLAMATION**

WHEREAS, written petitions bearing the signatures of 53,286 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 Thirteenth Legislature in First Regular Session, requesting that the Legislature consider a bill entitled "AN ACT Regarding the Generation of Electric Power and High-Level Radioactive Waste;" and

WHEREAS, the initiated bill, known as Legislative Document 20, was referred to the Joint Standing Committee on Energy and Natural Resources which held a public hearing on March 25, 1987. On April 13, 1987, the Maine House of Representatives accepted the Majority Ought Not to Pass Report and on April 14, 1987, the State Senate accepted the Majority Ought Not to Pass Report; and

WHEREAS, under the provisions of Article IV, Part Third, Section 18 of the Constitution of Maine, if such an initiated bill proposed to the Legislature is not enacted without change, the measure must be, by proclamation, referred to the people of Maine so that the initiated bill shall go to a referendum vote, such measure being referred together with any amended form, substitute, or recommendation of the Legislature, and in such manner that the people can choose between the competing measures or reject both; and

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

NOW, THEREFORE, I, JOHN R. MCKERNAN, JR., 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 Tuesday, November 3, 1987 so that "AN ACT Regarding the Generation of Electric Power and High-Level Radioactive Waste" be submitted to the people of this State for a referendum vote.



RODNEY S. QUINN
Secretary of State

In testimony whereof, I have caused the Great Seal of the State to be hereunto affixed GIVEN under my hand at Augusta this 1st day of July in the Year of our Lord One Thousand Nine Hundred and Eighty-Seven.

JOHN R. MCKERNAN, JR.
Governor

Do you want to let any power plant like Maine Yankee operate after July 4, 1988, if it makes high level nuclear waste?

INTENT AND CONTENT

The citizen-proposed legislation would make it illegal to generate electricity at any nuclear power plant as long as high-level nuclear waste is created as a waste product of that process. The only existing power plant in Maine that would be affected by the proposal is the Maine Yankee plant in Wiscasset.

The stated basis for the proposal is that there is no acceptable method of disposing of high-level nuclear wastes, and that the economic costs associated with such wastes, from generation through ultimate disposal, are unacceptably high. By prohibiting the major method of production of high-level nuclear waste now in existence in Maine, it is the stated intent of the proposed bill to "make the strongest and most responsible argument to be dropped from consideration by the federal government as a site" or a high-level nuclear waste disposal facility.

A "YES" vote favors allowing continued generation of electricity by nuclear fission, and would allow Maine Yankee to remain in operation.

A "NO" vote prohibits continued generation of electricity after July 4, 1988 by means that produce high-level nuclear waste.

STATE OF MAINE

CHAPTER 70

PRIVATE AND SPECIAL LAWS OF 1987

AN ACT to Authorize a General Fund Bond Issue in the Amount of \$8,000,000 to Protect Ground Water Quality and Public Health Through the Cleanup and Closure of Municipal and Abandoned Solid Waste Landfills.

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 remediation and closure of solid waste landfills.

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

Sec. 1. Authorization of bonds to provide for the remediation and closure of solid waste landfills. The Treasurer of State is authorized, under the discretion of the Governor, to issue from time to time registered bonds in the name and behalf of the State to an amount not exceeding \$8,000,000 for the purpose of raising funds to provide for the remediation and closure of solid waste landfills, including municipal and abandoned landfills, as authorized by section 6. The bonds shall be deemed a pledge

of the full faith and credit of the State. The bonds shall not run for a longer period than 5 years from the date of the original issue of the bonds. 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 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 of the bonds to the Treasurer of State who shall keep an account of each bond showing the number of the bond, the name of the successful bidder 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 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 State Controller, are appropriated to be used solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in section 6 shall lapse to the debt service account established for the retirement of these bonds.

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 bonds set out in section 6 shall be expended under the direction and supervision of the Department of Environmental Protection.

Sec. 6. Allocation from General Fund bond issue; remediation and closure of solid waste landfills. The proceeds of the sale of bonds shall be expended as follows:

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Site Evaluation and Planning Program	\$1,500,000
Municipal Implementation Grants Program	<u>6,500,000</u>
Total	\$8,000,000

Sec. 7. Contingent upon ratification of bond issue. Sections 1 to 6 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. 8. Appropriation balances at year end. At the end of each fiscal year, all unencumbered appropriation balances representing state money shall carry forward from year to year.

Bond proceeds which have not been expended within 10 years after the date of the sale of the bonds shall lapse to General Fund debt service.

Sec. 9. 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 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. 10. 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:

“Do you favor a \$8,000,000 bond issue for cleaning up and closing solid waste landfills that pose a hazard to public health and to ground water quality?”

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.

This Act was presented to the Governor by the Senate on June 17, 1987 and, the Governor's signature having no force and effect because it was not signed within the ten day limit, has become law. (Constitution Article IV, Part Third) Received June 30, 1987

INTENT AND CONTENT

This Act would authorize the State to issue registered bonds in an amount not to exceed \$8,000,000 to raise funds for clean-up and closure of solid waste landfills to protect groundwater quality. The bonds would run for a period of not longer than 5 years from the date of issue and would be backed by the full faith and credit of the State.

The proceeds from the sale of the bonds would be used to identify and reduce or eliminate hazards to groundwater quality from municipal or abandoned solid waste landfills. The funds would be expended under the direction of the State Department of Environmental Protection.

If approved, the bond authorization would take effect 30 days after the Governor's proclamation of the vote.

A statement of the Treasurer describing the financial considerations of this bond issue is published together with this statement.

A “YES” vote approves authorization of an \$8,000,000 bond issue for solid waste landfill clean-up and closure.

A “NO” vote disapproves the bond issue.

Total estimated debt service of \$9,344,000 of which principal is \$8,000,000, estimated interest of 5.60% over 5 years is \$1,344,000.

STATE OF MAINE

CHAPTER 54

PRIVATE AND SPECIAL LAWS OF 1987

AN ACT to Authorize a General Fund Bond Issue in the Amount of \$8,300,000 for Sewage Treatment Plant Facilities.

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 to provide funds for sewage treatment facilities.

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

Sec. 1. Authorization of bonds to provide for sewage treatment facilities. The Treasurer of State is authorized, under the direction of the Governor, to issue from time to time registered bonds in the name and behalf of the State to an amount not exceeding \$8,300,000 for the purpose of raising funds to provide for sewage treatment facilities as authorized by section 6. The bonds shall be deemed a pledge of the full faith and credit of the State. The bonds shall not run for a longer period than 10 years from the date of the original issue of the bonds. 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 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 of the bonds to the Treasurer of State who shall keep an account of each bond showing the number of the bond, the name of the successful bidder 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 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 State Controller, are appropriated to be used solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in section 6 shall lapse to the debt service account established for the retirement of these bonds.

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 bonds set out in section 6 shall be expended under the direction and supervision of the Commissioner of Environmental Protection.

Sec. 6. Allocations from General Fund bond issue—sewage treatment facilities. The proceeds of the sale of bonds shall be expended as designated in the following schedule:

Sewage treatment	\$8,300,000
------------------	-------------

Sec. 7. Contingent upon ratification of bond issue. Sections 1 to 6 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. 8. Appropriation balances at year end. At the end of each fiscal year, all unencumbered appropriation balances representing state money shall carry forward from year to year. Bond proceeds which have not been expended within 10 years after the date of the sale of the bonds shall lapse to General Fund debt service.

Sec. 9. 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 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. 10. 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 \$8,300,000 for construction of sewage treatment facilities in communities throughout the State?”

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 June 26, 1987

INTENT AND CONTENT

This Act would authorize the State to issue registered bonds in an amount not to exceed \$8,300,000 to raise funds for sewage treatment facilities. The bonds would run for a period of not longer than 10 years from the date of issue and would be backed by the full faith and credit of the State.

The proceeds from the sale of the bonds would be used to construct sewage treatment facilities. The funds would be expended under the direction of the Commissioner of Environmental Protection.

If approved, the bond authorization would take effect 30 days after the Governor’s proclamation of the vote.

A statement of the Treasurer describing the financial considerations of this bond issue is published together with this statement.

A “YES” vote approves authorization of an \$8,300,000 bond issue for sewage treatment facilities.

A “NO” vote disapproves the bond issue.

Total estimated debt service of \$11,267,250 of which principal is \$8,300,000, estimated interest of 6.50% over 10 years is \$2,967,250.

STATE OF MAINE
CHAPTER 441
PUBLIC LAW OF 1987

AN ACT to Establish the Maine Job Development Program.

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 establish a Maine Business Opportunity and Job Development Fund.

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

Sec. 1. 10 MRSA c. 110, sub-c. II-B is enacted to read:

SUBCHAPTER II-B
LOAN INCENTIVES TO MEET
ECONOMIC DEVELOPMENT NEEDS

§1038. Maine Job Development Fund

1. Creation. There is created and established, under the jurisdiction and control of the authority, the Maine Job Development Fund.

2. Sources of fund. There shall be paid into the fund the following:

A. All money appropriated for inclusion in the fund;

B. Subject to any pledge, contract or other obligation, any money which the authority receives in repayment of advances from the fund;

C. Subject to any pledge, contract or other obligation, all interest, dividends or other pecuniary gains from investment of money of the fund; and

D. Any other money available to the authority and directed by the authority to be paid into the fund.

3. Application of fund. The authority may apply money in the fund for purposes authorized by this subchapter. Money in the fund not needed currently for purposes of this subchapter may be deposited with the authority to the credit of the fund or may be invested in such manner as is provided for by law.

4. Accounts within fund. The authority may divide the funds into such separate accounts as it determines necessary or convenient for carrying out this subchapter.

5. Revolving fund. The fund shall be a nonlapsing revolving fund. All money in the fund shall be continuously

applied by the authority to carry out this subchapter.

6. Commitment and administrative fees. The authority may fix commitment fees in an amount not to exceed 1% of the initial principal amount of a loan made or insured under this subchapter. Such fees may, at the discretion of the authority, be deposited into the fund created under this section or into the Mortgage Insurance Fund or Loan Insurance Reserve Fund.

§1039. Maine Job Development Program

1. Operation. Upon appropriation of money for the Maine Job Development Fund created by section 1038, the authority shall operate the Maine Job Development Program. This program shall be operated in conjunction with or as a part of one or more other programs of the authority. This program shall be administered in cooperation with the State Development Office.

2. Permitted uses of fund. Money in the fund may be applied to carry out the powers of the authority, including:

A. Making loans to businesses eligible for assistance under this subchapter with such collateral as the authority may determine to be adequate; and

B. Providing financial assistance to businesses eligible for assistance under this subchapter. The financial assistance may be used to finance the production of new products and to help finance innovations, inventions and new processes which may lead to the production of new products or enable the applicant to significantly reduce production costs and increase market share for the product without reducing existing employment levels, provided that the authority shall have no liability to any claimant for claims arising directly or indirectly from the use or operation of the product or process.

3. Limitations. Financial assistance under this subchapter shall not exceed \$250,000 to any one business, or \$150,000 in the case of businesses assisted under subsection 2, paragraph B, nor may it exceed 50% of the total project costs as approved by the authority. At a minimum, 10% of the total project costs must be equity provided by the recipient of the loan or financial assistance.

4. Criteria. Program criteria and procedures shall be established by rulemaking pursuant to Title 5, chapter 375, subchapter II, and shall include limits on the amounts of financial assistance provided from the funds to any one business and requirements for sources of financial assistance in addition to the fund. The program shall be directed at small-sized and medium-sized businesses, as defined by the authority. The authority shall consult with the State Development Office in establishing incentives to:

A. Stimulate investment in geographical areas of the State deemed economically distressed by the State Development Office;

B. Stimulate investment in businesses in economically distressed industries in the State as identified by the State Development Office;

C. Provide benefits, in addition to those provided to a business, to the geographical area in which the business is located or to a business sector;

D. Solve problems widespread in particular business sectors;

E. Develop quality full-time jobs;

F. Minimize adverse environmental impact;

G. Provide for employee safety;

H. Make new or additional jobs available to Maine citizens, including economically disadvantaged persons;

I. Utilize a significant amount of financial assistance in addition to that provided from the fund;

J. Provide for training or retraining of displaced, dislocated or unskilled persons, in cooperation with the appropriate state agencies; and

K. Develop new products, technology, inventions or production processes which can help increase exports of Maine products and services out of the State.

With respect to any loan made under this subchapter, the authority, subject to rules promulgated under this subchapter, shall give preferred rates and terms to businesses meeting the criteria of this section based on the extent to which they meet these criteria.

5. Assistance to municipalities to generate economic growth. One million dollars from the proceeds of the sale of bonds will be provided to the State Development Office to provide municipalities with the resources for a program to generate jobs and business development. Potential uses of this money shall include, but not be limited to, infrastructure development, planning and technical assistance, marketing and other types of capacity building. Money available for the purpose of this subsection shall not be used to provide financial assistance to businesses.

6. Recovery. To the extent permitted by law, and except for financial assistance provided pursuant to subsection 2, paragraph B, the authority, by agreement, shall require repayment of amounts by any business on which behalf money from the fund has been applied or pledged to carry out this subchapter and, by agreement, shall require interest or other premium on those amounts at such rate as the authority may determine, and shall require such collateral to secure repayment as may be reasonably available, including junior liens as appropriate. The recovery may be deferred until such time as the authority shall determine.

7. Report. The authority shall file and present a report to the joint standing committee of the Legislature having jurisdiction over economic development matters showing the balance of the Job Development Fund, the status of all outstanding direct and insured loans and a report on all other program activities as part of the annual report required by section 974.

Sec. 2. Issue of bonds to establish the Maine Job Development Fund. The Treasurer of State may, under the direction of the Governor, issue from time to time registered bonds in the name and behalf of the State up to an amount not exceeding \$6,000,000 in the aggregate for the purpose of raising funds to fund the Maine Job Development Fund as authorized by section 1. 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 5 years from the date of the original issue. Any issuance of bonds may contain a call feature at the discretion of the Treasurer of State with approval of the Governor.

Sec. 3. 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 to the Treasurer of State who shall keep an account of each bond showing the number of the bond, the date of sale and the date when payable.

Sec. 4. Sale, how negotiated; proceeds appropriated. The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no 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.

Sec. 5. Taxable bond option. The Treasurer of State, at the direction of the Governor, shall covenant and consent that the interest on the bonds shall be includable, under the United States Internal Revenue Code, in the gross income of the holders of the bonds to the same extent and in the same manner that the interest on bills, bonds, notes or other obligations of the United States is includable in the gross income of the holders under the United States Internal Revenue Code or any subsequent law. The powers conferred by this section shall not be subject to any limitations or restrictions of any law which may limit the power to so covenant and consent.

Sec. 6. 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. 7. Disbursement of bond proceeds. The proceeds of the bonds shall be expended under the direction and supervision of the Finance Authority of Maine.

Sec. 8. Appropriation balances at year end. At the end of each fiscal year, all unencumbered appropriation balances

representing state money shall carry forward from year to year. Bond proceeds which have not been expended within 10 years after the date of the sale of the bonds shall lapse to General Fund debt service.

Sec. 9. 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 the 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. 10. Contingent upon ratification of bond issue. Sections 1 to 9 shall not become effective until the people of the State have ratified the issuance of bonds as set forth in this Act.

Sec. 11. 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 the State create the Maine Job Development Program to be funded with a \$6,000,000 bond issue?”

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 June 25, 1987

INTENT AND CONTENT

This Act would establish the Maine Job Development program described in Chapter 441 of the Public Laws of 1987, and would authorize the State to issue registered bonds in an amount not to exceed \$6,000,000 to raise funds for that program. The bonds would run for a period of not longer than 5 years from the date of issue and would be backed by the full faith and credit of the State.

Five million dollars of the proceeds from the sale of the bonds would be used by the Finance Authority of Maine to make loans and grants to small- and medium-sized businesses. One million dollars of the proceeds would be used by the State Development Office to assist municipalities in business and job development programs.

If approved, the Act would take effect 30 days after the Governor’s proclamation of the vote.

A statement of the Treasurer describing the financial considerations of this bond issue is published together with this statement.

A “YES” vote approves establishment of the Maine Job Development Program and authorization of a \$6,000,000 bond issue to fund the program.

A “NO” vote disapproves the program and bond issue.

Total estimated debt service of \$7,008,000 of which principal is \$6,000,000, estimated interest of 5.60% over 5 years is \$1,008,000.

STATE OF MAINE

CHAPTER 60

PRIVATE AND SPECIAL LAWS OF 1987

AN ACT to Authorize a General Fund Bond Issue in the Amount of \$3,100,000 for Pier Reconstruction at the Maine Maritime Academy.

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 pier reconstruction at the Maine Maritime Academy.

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

Sec. 1 Authorization of bonds to provide for pier reconstruction at the Maine Maritime Academy. The Treasurer of State is authorized, under the direction of the Governor, to issue from time to time registered bonds in the name and behalf of the State to an amount not exceeding \$3,100,000 for the purpose of raising funds to provide for pier reconstruction at the Maine Maritime Academy as authorized by section 6. The bonds shall be deemed a pledge of the full faith and credit of the State. The bonds shall not run for a longer period than 5 years from the date of the original issue of the bonds. 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 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 of the bonds to the Treasurer of State who shall keep an account of each bond showing the number of the bond, the name of the successful bidder 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 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 State Controller, are appropriated to be used solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in section 6 shall lapse to the debt service account established for the retirement of these bonds.

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 bonds set out in section 6 shall be expended under the direction and supervision of the Director of Public Improvements.

Sec. 6. Allocations from General Fund bond issue; pier reconstruction at the Maine Maritime Academy. The proceeds of the sale of bonds shall be expended as follows.

Pier Reconstruction, Maine Maritime Academy	\$3,100,000
--	-------------

Sec. 7. Contingent upon ratification of bond issue. Sections 1 to 6 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. 8. Appropriation balances at year end. At the end of each fiscal year, all unencumbered appropriation balances representing state money shall carry forward from year to year. Bond proceeds which have not been expended within 10 years after the date of the sale of the bonds shall lapse to General Fund debt service.

Sec. 9. 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 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. 10. 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:

“Do you favor a \$3,100,000 bond issue for pier reconstruction at the Maine Maritime Academy?”

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 June 26, 1987

INTENT AND CONTENT

This Act would authorize the State to issue registered bonds in an amount not to exceed \$3,100,000 to raise funds for Maine Maritime Academy pier reconstruction. The bonds would run for a period of not longer than 5 years from the date of issue and would be backed by the full faith and credit of the State.

The proceeds from the sale of the bonds would be used for pier reconstruction at the Maine Maritime Academy. The funds would be expended under the direction of the State Director of Public Improvements.

If approved, the bond authorization would take effect 30 days after the Governor’s proclamation of the vote.

A statement of the Treasurer describing the financial considerations of this bond issue is published together with this statement.

A “YES” vote approves authorization of a \$3,100,000 bond issue for Maine Maritime Academy pier reconstruction.

A “NO” vote disapproves the bond issue.

Total estimated debt service of \$3,620,800 of which principal is \$3,100,000, estimated interest of 5.60% over 5 years is \$520,800.

STATE OF MAINE

CHAPTER 72

PRIVATE AND SPECIAL LAWS OF 1987

AN ACT to Authorize a General Fund Bond Issue in the Amount of \$3,000,000 for Removal of Oil Storage Tanks and Related Ground Water Restoration.

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 removal of oil storage tanks and related ground water restoration.

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

Sec. 1. Authorization of bonds to provide for removal of oil storage tanks and related ground water restoration. The Treasurer of State is authorized, under the direction of the Governor, to issue from time to time registered bonds in the name and behalf of the State to an amount not exceeding \$3,000,000 for the purpose of raising funds to provide for removal of oil storage tanks and related ground water restoration as authorized by section 6. The bonds shall be deemed a pledge of the full faith and credit of the State. The bonds shall not run for a longer period than 5 years from the date of the original issue of the bonds. 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 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 of the bonds to the Treasurer of State who shall keep an account of each bond showing the number of the bond, the name of the successful bidder 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 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 State Controller, are appropriated to be used solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in section 6 shall lapse to the debt service account established for the retirement of these bonds.

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 bonds set out in section 6 shall be expended under the direc-

tion and supervision of the Commissioner of Environmental Protection, except that \$500,000 of the amount allocated for removal of oil storage tanks shall be paid to the Finance Authority of Maine and deposited in the Underground Oil Storage Facility Replacement Fund established pursuant to the Maine Revised Statutes, Title 10, section 1023-D.

Sec. 6. Allocations from General Fund bond issue—removal of oil storage tanks and related ground water restoration. The proceeds of the sale of bonds shall be expended as designated in the following schedule.

Removal of oil storage tanks	\$ 500,000
Related ground water restoration	2,500,000
Total	\$3,000,000

Sec. 7. Transfer between items. The amounts listed in section 6 are to be construed as a guide. Any of these amounts may be exceeded with the approval of the Governor by transfer from one item to another not exceeding 10% in the aggregate.

Sec. 8. Contingent upon ratification of bond issue. Sections 1 to 6 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. 9. Appropriation balances at year end. At the end of each fiscal year, all unencumbered appropriation balances representing state money shall carry forward from year to year. Bond proceeds which have not been expended within 10 years after the date of the sale of the bonds shall lapse to General Fund debt service.

Sec. 10. 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 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. 11. 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:

“Do you favor a \$3,000,000 bond issue for removal of oil storage tanks and related ground water restoration?”

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.

This Act was presented to the Governor by the Senate on June 17, 1987 and, the Governor's signature having no force and effect because it was not signed within the ten day limit, has become law. (Constitution Article IV, Part Third) Received June 30, 1987

INTENT AND CONTENT

This Act would authorize the State to issue registered bonds in an amount not to exceed \$3,000,000 to raise funds for the removal of oil storage tanks and related groundwater restoration. The bonds would run for a period of not longer than 5 years from the date of issue and would be backed by the full faith and credit of the State.

One-half million dollars of the proceeds from the sale of the bonds would be used to remove oil storage tanks through a fund administered by the Finance Authority of Maine. Two and one-half million dollars of the proceeds would be used, under the direction and supervision of the Commissioner of Environmental Protection, for restoration of groundwater polluted by leaking tanks.

If approved, the bond authorization would take effect 30 days after the Governor's proclamation of the vote.

A statement of the Treasurer describing the financial considerations of this bond issue is published together with this statement.

A "YES" vote approves authorization of a \$3,000,000 bond issue for underground tank removal and cleanup.

A "NO" vote disapproves the bond issue.

Total estimated debt service of \$3,504,000 of which principal is \$3,000,000, estimated interest of 5.60% over 5 years is \$504,000.

STATE OF MAINE

CHAPTER 61

PRIVATE AND SPECIAL LAWS OF 1987

AN ACT to Authorize a General Fund Bond Issue in the Amount of \$8,000,000 for Capital Repairs and Improvements to State Facilities and for the Removal of Asbestos from State Facilities.

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 capital repairs and improvements to state facilities.

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

Sec. 1. Authorization of bonds to provide for capital repairs and improvements to state facilities. The Treasurer of State is authorized, under the direction of the Governor, to issue from time to time registered bonds in the name and behalf of the State to an amount not exceeding \$8,000,000 for the purpose of raising funds for capital repairs and improvements to state facilities as authorized by section 6. The bonds shall be deemed a pledge of the full faith and credit of the State. The bonds shall not run for a longer period than 5 years from the date of the original issue of the bonds. 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 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 of the bonds to the Treasurer of State who shall keep an account of each bond showing the number of the bond, the name of the successful bidder 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 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 State Controller, are appropriated to be used solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in section 6 shall lapse to the debt service account established for the retirement of these bonds.

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 bonds set out in section 6 shall be expended under the direc-

tion and supervision of the Director of Public Improvements.

Sec. 6. Allocations from General Fund bond issue; capital repairs and improvements to state facilities. The proceeds of the sale of bonds shall be expended as designated in the following schedule.

Capital repairs and improvements—statewide	\$8,000,000
--	-------------

Sec. 7. Contingent upon ratification of bond issue. Sections 1 to 6 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. 8. Appropriation balances at year end. At the end of each fiscal year, all unencumbered appropriation balances representing state money shall carry forward from year to year. Bond proceeds which have not been expended within 10 years after the date of the sale of the bonds shall lapse to General Fund debt service.

Sec. 9. 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 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. 10. 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:

“Do you favor a \$8,000,000 bond issue for capital repairs and improvements to state facilities and the removal of asbestos from state facilities?”

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 June 26, 1987

INTENT AND CONTENT

This Act would authorize the State to issue registered bonds in an amount not to exceed \$8,000,000 to raise funds for capital improvements and asbestos removal in state facilities. The bonds would run for a period of not longer than 5 years from the date of issue and would be backed by the full faith and credit of the State.

The proceeds from the sale of the bonds would be used to fund capital improvements and repairs to state facilities and for asbestos removal from state facilities. The funds would be expended under the direction of the State Director of Public Improvements.

If approved, the bond authorization would take effect 30 days after the Governor’s proclamation of the vote.

A statement of the Treasurer describing the financial considerations of this bond issue is published together with this statement.

A “YES” vote approves authorization of an \$8,000,000 bond issue for capital improvements in state facilities.

A “NO” vote disapproves the bond issue.

Total estimated debt service of \$9,344,000 of which principal is \$8,000,000, estimated interest of 5.60% over 5 years is \$1,344,000.

STATE OF MAINE

CHAPTER 55

PRIVATE AND SPECIAL LAWS OF 1987

AN ACT to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 for Acquisition of School Buses for Maine Public School Units.

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 acquisition of school buses for Maine public schools.

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

Sec. 1. Authorization of bonds to provide for acquisition of school buses for Maine public schools. The Treasurer of State is authorized, under the direction of the Governor, to issue from time to time registered bonds in the name and behalf of the State to an amount not exceeding \$5,000,000 for the purpose of raising funds for acquisition of school buses for Maine

public schools as authorized by section 7. The bonds shall be deemed a pledge of the full faith and credit of the State. The bonds shall not run for a longer period than 5 years from the date of the original issue of the bonds. 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 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 of the bonds to the Treasurer of State who shall keep an account of each bond showing the number of the bond, the name of the successful bidder 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 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 State Controller, are appropriated to be used solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in section 7 shall lapse to the debt service account established for the retirement of these bonds.

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 bonds set out in section 7 shall be expended under the direction and supervision of the Commissioner of Educational and Cultural Services as grants to local school administrative units for the purpose of funding a portion of those school administrative units' costs in purchasing school buses. The disbursement of bond proceeds authorized by this Act shall be separate and apart from any obligations which the State may have to school administrative units under the School Finance Act of 1985, as amended. The Commissioner of Educational and Cultural Services shall determine which school administrative units shall receive grants from bond proceeds authorized by this Act and the amount of those grants. These grants shall be made on the same matching basis as the division of state and local shares in the units' state and local allocation in the year prior to the year in which the grants are distributed.

Sec. 6. Study. The Commissioner of Educational and Cultural Services shall conduct a study to determine the most cost effective means of purchasing school buses. This study shall consider, but not be limited to, the potential savings resulting from bulk purchases by the State and meeting the varied needs of local school units. The commissioner shall report with necessary legislation to the joint standing committee having jurisdiction over appropriations and financial affairs by January 15, 1988.

Sec. 7. Allocations from General Fund bond issue; acquisition of school buses for Maine public schools. The proceeds of the sale of bonds shall be expended as necessary for the acquisition of school buses. No money may be expended until the proceeds of the sale of bonds are allocated by the 113th Legislature pursuant to the study in section 6.

Sec. 8. Contingent upon ratification of bond issue. Sections 1 to 7 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. 9. Appropriation balances at year end. At the end of each fiscal year, all unencumbered appropriation balances representing state money shall carry forward from year to year. Bond proceeds which have not been expended within 10 years after the date of the sale of the bonds shall lapse to General Fund debt service.

Sec. 10. 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 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. 11. 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:

“Do you favor a \$5,000,000 bond issue for acquisition of school buses for Maine public schools?”

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 June 26, 1987

INTENT AND CONTENT

This Act would authorize the State to issue registered bonds in an amount not to exceed \$5,000,000 to raise funds for the acquisition of school buses. The bonds would run for a period of not longer than 5 years from the date of issue and would be backed by the full faith and credit of the State.

The proceeds from the sale of the bonds would be used to acquire school buses for use by Maine public schools. The funds would be expended under the direction of the Commissioner of Educational and Cultural Services.

If approved, the bond authorization would take effect 30 days after the Governor's proclamation of the vote.

A statement of the Treasurer describing the financial considerations of this bond issue is published together with this statement.

A "YES" vote approves authorization of a \$5,000,000 bond issue for acquisition of public school buses.

A "NO" vote disapproves the bond issue.

Total estimated debt service of \$5,840,000 of which principal is \$5,000,000, estimated interest of 5.60% over 5 years is \$840,000.

STATE OF MAINE

CHAPTER 66

PRIVATE AND SPECIAL LAWS OF 1987

AN ACT to Authorize Department of Transportation Bond Issues in the Amount of \$26,500,000 to Match Available Federal Funds for Highway, Bridge and Airport Improvements and to Reduce Ground Water Pollution Resulting from the Storage of State and Municipally-owned Highway Materials.

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 Highway and General Fund bonds on behalf of the State of Maine to provide funds to match available federal funds for highway, bridge and airport improvements and to reduce ground water pollution resulting from the storage of state and municipally-owned highway materials.

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

Sec. 1 Authorization of bonds to provide for highway, bridge and airport improvements and to reduce ground water pollution resulting from the storage of state and municipally-owned highway materials. The Treasurer of State is authorized, under the direction of the Governor, to issue from time to time registered bonds in the name and behalf of the State to an amount not exceeding \$26,500,000 for the purpose of raising funds to match available federal funds for highway, bridge and airport improvements and to reduce ground water pollution from the

storage of state and municipally-owned highway materials as authorized by section 6. The bonds shall be deemed a pledge of the full 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 of the bonds. 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 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 of the bonds to the Treasurer of State who shall keep an account of each bond showing the number of the bond, the name of the successful bidder 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 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 State Controller, are appropriated to be used solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in section 6 shall lapse to the debt service account established for the retirement of these bonds.

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 bonds set out in section 6 shall be expended under the direction and supervision of the Commissioner of Transportation.

Sec. 6. Allocations and appropriations from Highway Fund and General Fund bond issue—highway, bridge and airport improvements and to reduce pollution from the storage of state and municipally-owned highway materials. The proceeds of the sale of bonds shall be expended as designated in the following schedule.

Summary of Bond Issues

Highway Fund bond issues

Highway and bridge improvements	\$19,000,000
Sand and salt pile covering	3,700,000
DOT Underground Storage	
Tank Program	<u>2,800,000</u>
Total Highway Fund	\$25,500,000

General Fund bond issue

Airport improvements	<u>1,000,000</u>
Total Highway Fund and	
General Fund Bonds	\$26,500,000

Allocation of Highway Fund bond issue. Receipt of the Highway Fund Bond for the fiscal years, from July 1, 1987, to June 30, 1988, and from July 1, 1988, to June 30, 1989, from the proceeds of the sale of bonds shall be segregated, apportioned and expended as designated in the following schedule.

	<u>1987-88</u>	<u>1988-89</u>
Highway-Highway and Bridge Improvements	\$ 9,500,000	\$ 9,500,000
Sand and salt pile covering and the DOT Underground Storage Tank Program	<u>3,250,000</u>	<u>3,250,000</u>
Total Allocations	\$12,750,000	\$12,750,000

Sec. 7. Contingent upon ratification of bond issue. Sections 1 to 6 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. 8. Appropriation balances at year end. At the end of each fiscal year, all unencumbered appropriation balances representing state money shall carry forward from year to year. Bond proceeds which have not been expended within 10 years after the date of the sale of the bonds shall lapse to General Fund debt service.

Sec. 9. 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 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. 10. 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:

“Do you favor a \$26,500,000 bond issue for highway, bridge and airport improvements and to reduce ground water pollution resulting from the storage of state and municipally-owned highway materials?”

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 June 29, 1987

INTENT AND CONTENT

This Act would authorize the State to issue registered bonds in an amount not to exceed \$26,500,000 to raise funds for highway, highway facilities, bridge and airport improvements. The bonds would run for a period of not longer than 20 years from the date of issue and would be backed by the full faith and credit of the State.

Nineteen million dollars of the proceeds from the sale of the bonds would be used to fund highway and bridge improvements. Six and one-half million dollars of the proceeds would be used to reduce groundwater pollution from state and municipal salt and sand storage facilities (\$3,700,000) and underground storage tanks (\$2,800,000). One million dollars of the proceeds would be used for airport improvements. The funds would be expended under the direction of the Commissioner of Transportation.

If approved, the bond authorization would take effect 30 days after the Governor’s proclamation of the vote.

A statement of the Treasurer describing the financial considerations of this bond issue is published together with this statement.

A “YES” vote approves authorization of a \$26,500,000 bond issue for highway, bridge and airport improvements, and groundwater protection.

A “NO” vote disapproves the bond issue.

Total estimated debt service of \$47,090,500 of which principal is \$26,500,000, estimated interest of 7.40% over 20 years is \$20,590,500.

STATE OF MAINE

CHAPTER 73

PRIVATE AND SPECIAL LAWS OF 1987

AN ACT to Authorize a General Fund Bond Issue in the Amount of \$35,000,000 to Finance the Acquisition of Land for Conservation, Outdoor Recreation and Wildlife.

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 acquisition of land for conservation, outdoor recreation and wildlife.

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

Sec. 1. Authorization of bonds to provide for conservation, outdoor recreation and wildlife. The Treasurer of State is authorized, under the direction of the Governor, to issue from time to time registered bonds in the name and behalf of the State to an amount not exceeding \$35,000,000 for the purpose of raising funds to acquire lands for conservation, outdoor recreation and wildlife as authorized by section 6. No more than \$5,000,000 may be issued in the first year and no more than \$10,000,000 per year may be issued in the 2nd, 3rd and 4th years, except that any unused balance from prior years may be added to the specified amounts in ensuing years. The bonds shall be deemed a pledge of the full faith and credit of the State. The bonds shall not run for a longer period than 15 years from the date of the original issue of the bonds. 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 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 of the bonds to the Treasurer of State who shall keep an account of each bond showing the number of the bond, the name of the successful bidder 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 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 State Controller, are appropriated to be used solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in section 6 shall lapse to the debt service account established for the retirement of these bonds.

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 bonds set out in section 6 shall be expended under the direction and supervision of the Director of the State Planning Office until the creation of a Recreation and Natural Heritage Board for acquisition of lands for conservation, outdoor recreation and wildlife.

Sec. 6. Allocations from General Fund bond issue; conservation, outdoor recreation and wildlife. The proceeds of the sale of bonds shall be expended as follows.

EXECUTIVE DEPARTMENT

State Planning Office

Recreation and Natural
Heritage Board

All Other \$35,000,000

Acquisitions will be targeted to sites with outstanding recreational, scenic, natural or wildlife values.

Sec. 7. Contingent upon ratification of bond issue. Sections 1 to 6 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. 8. Appropriation balances at year end. At the end of each fiscal year, all unencumbered appropriation balances representing state money shall carry forward from year to year. Bond proceeds which have not been expended within 10 years after the date of the sale of the bonds shall lapse to General Fund debt service.

Sec. 9. 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 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. 10. 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 for the purchase of public land access for Maine’s people in the amount of \$35,000,000, to be issued over a period of 4 years be approved?”

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 June 30, 1987

INTENT AND CONTENT

This Act would authorize the State to issue registered bonds in an amount not to exceed \$35,000,000 to raise funds for the purchase of land for conservation, outdoor recreation and wildlife preservation. The authorization is limited to \$5,000,000 in the first year and \$10,000,000 in each of the next three years. The bonds would run for a period of not longer than 15 years from the date of issue and would be backed by the full faith and credit of the State.

The proceeds from the sale of the bonds would be used to purchase land with outstanding recreational, scenic, natural or wildlife value, for conservation and public use. The funds would be expended under the direction of the State Planning Office until formation of a Recreation and Natural Heritage Board.

If approved, the bond authorization would take effect 30 days after the Governor’s proclamation of the vote.

A statement of the Treasurer describing the financial considerations of this bond issue is published together with this statement.

A “YES” vote approves authorization of \$35,000,000 of bonds, to be issued over four years, to purchase land for public use and conservation.

A “NO” vote disapproves the bond issue.

Total estimated debt service of \$54,880,000 of which principal is \$35,000,000, estimated interest of 7.10% over 15 years is \$19,880,000.

STATE OF MAINE

CHAPTER 71

PRIVATE AND SPECIAL LAWS OF 1987

AN ACT to Authorize a General Fund Bond Issue in the Amount of \$6,000,000 for Detection and Removal of Asbestos Hazards in State Facilities and Public Schools.

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 detection and removal of asbestos hazards in state facilities and public schools.

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

Sec. 1. Authorization of bonds to provide for detection and removal of asbestos hazards in state facilities and public schools. The Treasurer of State is authorized, under the direction of the Governor, to issue from time to time registered bonds in the name and behalf of the State to an amount not exceeding \$6,000,000 for the purpose of raising funds to provide for detection and removal of asbestos hazards in state facilities and public schools as authorized by section 6. The bonds shall be deemed a pledge of the full faith and credit of the State. The bonds shall not run for a longer period than 5 years from the date of the original issue of the bonds. 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 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 of the bonds to the Treasurer of State who shall keep an account of each bond showing the number of the bond, the name of the successful bidder 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 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 State Controller, are appropriated to be used solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in section 6 shall lapse to the debt service account established for the retirement of these bonds.

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 bonds set out in section 6 shall be expended under the direction and supervision of the Director of Public Improvements.

Sec. 6. Allocations from General Fund bond issue; detection and removal of asbestos hazards in state facilities and public schools. The proceeds of the sale of bonds shall be expended as designated in the following schedule.

Detection and removal of asbestos hazards—state facilities and public schools	\$6,000,000
---	-------------

Sec. 7. Contingent upon ratification of bond issue. Sections 1 to 6 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. 8. Appropriation balances at year end. At the end of each fiscal year, all unencumbered appropriation balances representing state money shall carry forward from year to year. Bond proceeds which have not been expended within 10 years after the date of the sale of the bonds shall lapse to General Fund debt service.

Sec. 9. 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 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. 10. 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:

“Do you favor a \$6,000,000 bond issue for detection and removal of asbestos hazards in state facilities and public schools?”

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.

This Act was presented to the Governor by the Senate on June 17, 1987 and, the Governor’s signature having no force and effect because it was not signed within the ten day limit has become law. (Constitution Article IV, Part Third) Received June 30, 1987

INTENT AND CONTENT

This Act would authorize the State to issue registered bonds in an amount not to exceed \$6,000,000 to raise funds for removal of asbestos hazards from state facilities and public schools. The bonds would run for a period of not longer than 5 years from the date of issue and would be backed by the full faith and credit of the State.

The proceeds from the sale of the bonds would be used to identify asbestos hazards and remove asbestos from state facilities and public schools, extending a program begun with bond funds approved last year. The funds would be expended under the direction of the State Director of Public Improvements.

If approved, the bond authorization would take effect 30 days after the Governor’s proclamation of the vote.

A statement of the Treasurer describing the financial considerations of this bond issue is published together with this statement.

A “YES” vote approves authorization of a \$6,000,000 bond issue for removal of asbestos from state facilities and public schools.

A “NO” vote disapproves the bond issue.

Total estimated debt service of \$7,008,000 of which principal is \$6,000,000, estimated interest of 5.6% over 5 years is \$1,008,000.

CHAPTER 2

CONSTITUTIONAL RESOLUTION OF 1987

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Insure the Preservation of the Right to Keep and Bear Arms.

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

Constitution, Article I, §16 is amended to read:

Section 16. To keep and bear arms. Every citizen has a right to keep and bear arms for the common defense, and this right shall never be questioned.

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 clarify the rights of citizens to keep and bear arms?”

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 voters are in favor of the amendment, the Governor shall proclaim that fact without delay and the amendment shall become part of the Constitution on the date of the proclamation.

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. June 19, 1987.

INTENT AND CONTENT

The proposal would amend the Maine Constitution to establish a new personal right to keep and carry weapons, in place of the existing collective right to bear arms for the common defense. In proposing the amendment, several legislators formally expressed their understanding and intention that the proposed personal right, like the existing collective right, would be subject to reasonable limitation by legislation enacted at the state or local level. The Attorney General has issued an opinion to the same effect.

The amendment would repeal the collective right of Maine citizens to keep and carry weapons as may be necessary to participate in defense of the State or community through a broadly based, organized militia. The existing provision, as interpreted by the Maine Supreme Judicial Court in State v. Friel, 508 A.2d 123 (Me. 1986), establishes no constitutional right to bear arms except this collective right of defense.

If approved, the amendment would take effect on the date of the Governor’s proclamation of the vote.

A “YES” vote favors establishing a personal constitutional right to keep and carry weapons, subject to reasonable regulation.

A “NO” vote opposes establishment of such a constitutional right.

CHAPTER 1

CONSTITUTIONAL RESOLUTION OF 1987

RESOLUTION, Proposing an Amendment to the Constitution of Maine Requiring Residency of Candidates at the Time of Nomination for Placement on the Ballot.

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. First, §4 is amended to read:

Section 4. Qualifications. No person shall be a member of the House of Representatives, unless he shall, at the commencement of the period for which he is elected, have been 5 years a citizen of the United States, have arrived at the age of 21 years, have been a resident in this State one year; and for the 3 months next preceding the time of his election shall have been, and, during the period for which he is elected, shall continue to be a resident in the district which he represents.

No person may be a candidate for election as a member of the House of Representatives unless, at the time of the nomination for placement on a primary, general or special election ballot, that person is a resident in the district which he seeks to represent.

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 require a candidate for State Representative or State Senator to be a resident in the district which the candidate seeks to represent at the time he is nominated to be placed on any election ballot?”

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 voters are in favor of the amendment, the Governor shall proclaim that fact without delay and the amendment shall become part of the Constitution on the date of the proclamation.

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. June 19, 1987.

INTENT AND CONTENT

The proposal would amend the Maine Constitution to require all candidates for the State Legislature to live in their district at the time of their nomination. Currently, candidates are required to be a resident of the district they seek to represent 3 months before the election.

If approved, the amendment would take effect on the date of the Governor's proclamation of the vote.

A "YES" vote favors requiring candidates for the State Legislature to reside in the district at the time of their nomination.

A "NO" vote opposes the change.
