

MAINE STATE LEGISLATURE

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ELECTIONS - 1989
(NOV.)

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**MAINE CITIZEN'S GUIDE TO
UPCOMING INITIATIVES,
BOND ISSUES,
PROPOSED CONSTITUTIONAL
AMENDMENT,
AND REFERENDUM**

In Accordance with Acts and Resolutions
Passed by the 114th Legislature at
First Regular Session and
First Special Session



To be voted upon at the Special Election,
Tuesday, November 7, 1989.

G. William Diamond
Secretary of State



State of Maine
Office of
Secretary of State
Augusta, Maine 04333

Dear Citizen,

Ninety years ago "referendum" was the term used by reform movements throughout the world to denote the idea of putting issues directly to the people. Today, referenda and ballot questions allow you, the voter, to directly participate in governmental decision making by either directly deciding upon or legitimizing governmental policy.

With regard to democracy and citizen participation, Thomas Jefferson once commented that he knew of "no safe depository of the ultimate power of society but the people themselves," and he said, "if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion?"

A central task of mine, as Maine's chief elections official, is to assist in doing precisely that—informing your discretion. That is to say—I want to provide you with as much information as possible regarding the constitutional amendment, bond issues and referenda questions to be voted on November 7, 1989.

Toward this end, my office, the State Treasurer and the Office of the Attorney General have worked together to provide you with this pamphlet explaining the bond issues and Constitutional Amendment which will be voted on this fall. It is our hope that this information will enable you to become aware of the issues and therefore to determine the position which you wish to support.

Enclosed you will find the legislative documents pertaining to each proposal, followed by a summary of the intent and content, an explanation of the significance of a vote for or against the measure, and the costs involved. I hope this information will be helpful to you, that you will study it thoroughly and that you will exercise your democratic privilege by voting on November 7, 1989.

Sincerely,

G. WILLIAM DIAMOND
Secretary of State

LISTING OF INITIATIVES, BOND ISSUES, PROPOSED CONSTITUTIONAL AMENDMENT AND REFERENDUM QUESTION

Initiative Bills

1. "Do You Favor the Changes in Maine Law Concerning Campaign Finances for Candidates for Governor, as Proposed by Citizen Petition?"
2. Do you favor stopping Cruise Missile Tests in Maine?

Bond Issues

- 3A. "Shall a bond issue be authorized in the amount of \$14,500,000 to build and repair correctional facilities, \$9,520,000 of which shall be for juvenile correctional facilities?"
- B. "Shall a bond issue be authorized in the amount of \$35,000,000 to build, repair or renovate adult correctional facilities?"
4. "Do you favor a \$5,000,000 bond issue to fund grants to solid waste regional commissions and associations and municipalities to pay for the capital costs associated with purchasing recycling equipment and facilities?"
5. "Shall a bond issue be authorized in the amount of \$20,210,600 to make capital improvements at all campuses of the Maine Vocational-Technical Institute System?"
6. "Do you favor a \$4,400,000 bond issue for sewerage facilities construction?"
7. "Do you favor a \$21,000,000 bond issue for highway, state and local bridges, harbor and airport improvements?"
8. "Do you favor a \$7,000,000 bond issue to provide funds that would be available, through grants and a loan fund, for programs serving persons with mental illness?"
9. "Do you favor a \$12,000,000 bond issue for detection and removal of asbestos and other health-related indoor air quality hazards in state facilities and public schools and removal of hazardous chemicals from public schools?"
10. "Do you favor a \$6,000,000 bond issue for cleaning up and closing solid waste landfills that pose a hazard to public health and to ground water quality?"
11. "Shall a bond issue in the amount of \$15,000,000 be approved to enhance affordable housing opportunities for the people of the State of Maine?"

Constitutional Amendment

12. "Shall the Constitution of Maine be amended as proposed by a resolution of the Legislature to insure the payment of mortgage loans for affordable housing for Maine citizens, not to exceed \$25,000,000 in the aggregate?"

Referendum Question

13. "Do you approve of the agreement for the disposal of low-level radioactive waste proposed to be made with the Rocky Mountain Low-level Radioactive Waste Board whose member states are Colorado, Nevada, New Mexico and Wyoming for disposal of low-level radioactive waste at an existing facility in Beatty, Nevada?"

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, 1989.

Bonds Outstanding and Unpaid to Mature	
Through 2008	\$338,100,000
Interest to be Repaid on Bonds Issued	109,590,145
Total to be Repaid on Bonds Issued	<u>\$447,690,145</u>
Additional Bonds Authorized But	
Not Yet Issued	\$135,220,000
Limit of Contingent Bonds Liability	
Authorized by Constitution and Laws	
But Unissued	<u>100,452,396</u>
Total Bonds Authorized But Unissued	<u>\$235,672,386</u>
Total Additional Bonds to be Authorized	
if Ratified by Voters	\$140,110,600
Potential New Estimate of Interest	\$ 71,109,974

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 \$71,109,974 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 \$211,220,574. The amount that must be paid in the present fiscal year (July 1, 1989 to June 30, 1990) for debt already outstanding is \$49,325,000 in principal and \$22,361,765 in interest, a total of \$71,686,765.

Samuel D. Shapiro
Treasurer of State

State of Maine

TO THE 114th LEGISLATURE OF THE STATE OF MAINE:

In accordance with Section 18 of Article IV, Part Third of the Constitution of the State of Maine, the undersigned electors of the State of Maine, qualified to vote for Governor, residing in said State, whose names have been certified, hereby respectfully propose to the Legislature for its consideration the following entitled bill:

"AN ACT TO LIMIT SPENDING AND CONTRIBUTIONS IN CAMPAIGNS FOR GOVERNOR"

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

"Do You Favor the Changes in Maine Law Concerning Campaign Finances for Candidates for Governor, as Proposed by Citizen Petition?"

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

I. Campaign Spending Limits

If a candidate for Governor agrees to accept matching funds from the State, he or she and any committee controlled by the candidate shall not spend any more than:

- A. \$400,000 in the Primary Election;
- B. \$600,000 in the General Election.

II. Campaign Contribution Limits

- A. A candidate who agrees to accept matching funds, and any committee controlled by the candidate, may accept contributions only from individual persons, and is prohibited from accepting contributions from any other source including corporations, political action committees, or associations of any kind.
- B. A candidate who agrees to accept matching funds and his or her spouse are prohibited from contributing more than \$25,000 between them to the candidate's Primary and General Election campaigns combined.

III. Matching Funds for Small Campaign Contributions

- A. When a candidate for Governor registers his or her campaign treasurer or committee, the candidate shall file a statement accepting or rejecting matching funds.
- B. To qualify for matching funds, the candidate must raise at least \$25,000 in contributions from individuals who are qualified to vote in the State of Maine. Only the first \$250 from any individual may be counted for this purpose.
- C. Once a candidate accepts and qualifies for matching funds, all additional contributions shall be matched by the State in the amount of \$2 for each \$1 received by the candidate or any committee controlled by the candidate. Only the first \$250 from any individual, per election, may be counted for this purpose.

IV. Matching Funds to Come From State Income Tax Checkoff

- A. The matching funds shall come from a fund created by a voluntary checkoff on the state personal income tax form. The checkoff shall allow an individual taxpayer to assign to this fund \$1 of his or her state tax due. Couples filing jointly may assign \$2.

B. The Commission on Governmental Ethics and Election Practices shall actively promote the use of the checkoff as an exercise in good government, but if there is not enough money in the checkoff fund to provide matching funds, the balance shall come from the General Fund.

V. Commission on Governmental Ethics and Election Practices Shall Administer this Act

A. The Commission shall administer this Act, maintain proper records, and promptly issue regulations to achieve its purposes.

B. Any person who violates any provision of this Act or any regulation promulgated under this Act:

(1) shall be subject to a civil penalty payable to the State of not more than \$50,000;

(2) shall be guilty of a Class E crime.

**STATE OF MAINE
PROCLAMATION**

WHEREAS, written petitions bearing the signatures of 46,668 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 Fourteenth Legislature in First Regular Session, requesting that the Legislature consider an act entitled "An Act to Limit Spending and Contributions in Campaigns for Governor;" and

WHEREAS, the initiated act, known as Legislative Document 256, was referred to the Joint Standing Committee on Legal Affairs, which held a public hearing on March 28, 1989; and

WHEREAS, on May 22, 1989 the Maine House of Representatives accepted the Majority Ought Not to Pass Report and on May 23, 1989, the Maine Senate accepted the Majority Ought Not to Pass Report and thus the legislation failed enactment; 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 7, 1989 so that "An Act to Limit Spending and Contributions in Campaigns for Governor" be submitted to the people of this State for a referendum vote.



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

JOHN R. McKERNAN, JR.
Governor

G. WILLIAM DIAMOND
Secretary of State

"Do You Favor the Changes in Maine Law Concerning Campaign Finances for Candidates for Governor, as Proposed by Citizen Petition?"

INTENT AND CONTENT

This initiated legislation would establish a voluntary system of public financing of campaigns for the office of Governor of Maine. A public fund would be created by allowing each taxpayer to direct that \$1 of his or her annual State income tax be assigned for the purpose of financing gubernatorial election campaigns. A candidate for Governor may then obtain \$2 from the fund for every \$1 he or she receives in campaign contributions of \$250 or less provided that he or she agrees (1) not to spend more than \$400,000 in a primary election and \$600,000 in the general election, (2) not to accept campaign contributions from any entity other than a natural person, and (3) not to spend more than \$25,000 of his or her or his or her spouse's money on the campaign. Finally, in order to qualify for the contemplated public funding, a candidate must raise at least \$25,000 in amounts of no greater than \$250 per contribution. Candidates who do not accept public funding under the legislation are not subject to any of the foregoing restrictions.

A "YES" vote approves the establishment of the voluntary system of public financing of campaigns for Governor of Maine.

A "NO" vote disapproves the establishment of the public financing system.

State of Maine

TO THE 114th 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 resolutions:

"A Resolution regarding the Testing of Cruise Missiles in Maine"

The full text of said Resolution is printed on page two of this petition.

"Do you favor stopping Cruise Missile Tests in Maine?"

WHEREAS, the Federal Government plans to begin the testing of sea-launched Cruise missiles in Maine during the autumn of 1988 and continue such testing indefinitely into the 1990's; and

WHEREAS, the 2,800 pound missiles will fly at an altitude of 500 feet along most of the 295-mile path, beginning at the Maine coast near Ellsworth, passing near Shin Pond, the border of Baxter

State Park, and within 15 miles of Millinocket, and ending in the Rangeley area; and

WHEREAS, the plan to test Cruise missiles over Maine has drawn criticism from aviators, sportsmen, environmentalists, and residents near the flight path because of problems associated with low altitude of the missiles; the high volume of seaplane landings in the Shin Pond area; the increased noise levels which will have a negative impact for both residents and tourists; the risk of private aircraft flying in a missile's flight path; and possible harmful consequences as a result of a crash, including the potential loss of life and property, fires caused by spilled fuel and the resulting impact on the State's environment; and

WHEREAS, the Federal Government's plan to test Cruise missiles has apparently not been coordinated with projects from other federal agencies, including the Army's recent plans to expand a military training flight route over northern Maine, which would include the enlargement of an existing low-level training route from 10 to 20 miles in width; and

WHEREAS, the sea-launched Cruise missile is currently a major obstacle to completing a strategic arms reduction treaty because it is difficult to verify; and

WHEREAS, the sea-launched Cruise missile is undermining the completed Intermediate Nuclear Forces Treaty, because by deploying the missile off the shores of Europe, it simply replaces the weapons scheduled for dismantlement; and

WHEREAS, the scheduled deployment of 4,000 sea-launched Cruise missiles, at a cost of \$1.5 million each, increases the likelihood of nuclear war because of their deadly accuracy and capability to elude radar; and

WHEREAS, the Governor is the elected statewide official most responsible for protecting the interests of Maine and representing the sentiment of its citizens; now, therefore, be it

RESOLVED: That the people of Maine do not wish their state to participate in the testing of Cruise missiles and hereby call upon the Governor to intervene with the Federal Government to stop the testing of Cruise missiles in Maine.

STATEMENT OF FACT

The purpose of this resolution is to demonstrate that the people of Maine do not want the testing of sea-launched Cruise missiles (Tomahawks) in the state. The testing of the low-flying Cruise with two trailing F-111 jets are being carried out so the U.S. can move forward with a planned deployment of 4,000 Tomahawks. 20% of these will be equipped with nuclear weapons.

The Soviet Union has called for stringent limits placed on both sides' sea-launched Cruise missiles. Paul Nitze, a key Reagan arms control advisor, has urged for the complete elimination of all nuclear-armed Cruise missiles because massive deployments of the weapon would benefit the Soviets more than the U.S.

U.S. negotiators, however, have rejected any constraints on the missile because the U.S. is currently ahead of the Soviets in Cruise technology. This is the kind of thinking that fuels the arms race. One side is ahead and does not want to give up its advantage—but the other side always catches up. Stopping the tests here will not stop the Cruise missile program, but it could send a message to Washington that people would rather eliminate sea-launched Cruise missiles on both sides than spend billions of dollars on a dangerous, useless weapon.

Through this referendum, Mainers have a unique opportunity to state unequivocally to the Governor that we choose not to participate in this destabilizing escalation of the nuclear arms race, that we want the tranquility of Maine preserved, and that we want him to take the lead in seeing that the wishes of his constituents are carried out.

STATE OF MAINE PROCLAMATION

WHEREAS, written petitions bearing the signatures of 66,142 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 Fourteenth Legislature in First Regular Session, requesting that the Legislature consider a resolution entitled "A Resolution Regarding the Testing of Cruise Missiles in Maine;" and

WHEREAS, the initiated resolution, known as Legislative Document 255, was referred to the Joint Standing Committee on State and Local Government, which held a public hearing on March 22, 1989; and

WHEREAS, on March 30, 1989 the Maine House of Representatives accepted the Majority Ought Not to Pass Report and on April 3, 1989, the Maine Senate accepted the Majority Ought Not to Pass Report and thus the legislation failed enactment; and

WHEREAS, under the provisions of Article IV, Part Third, Section 18 of the Constitution of Maine, if such an initiated resolution 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 resolution 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 7, 1989 so that "A Resolution Regarding the Testing of Cruise Missiles in Maine" be submitted to the people of this State for a referendum vote.



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

JOHN R. McKERNAN, JR.
Governor

G. WILLIAM DIAMOND
Secretary of State

Do you favor stopping Cruise Missile Tests in Maine?

INTENT AND CONTENT

This initiated resolution would authorize and direct the Governor to seek to persuade the United States government not to engage in the testing of cruise missiles in the air space of the State of Maine.

A "YES" vote approves the resolution.

A "NO" vote disapproves the resolution.

STATE OF MAINE

CHAPTER 90

PRIVATE AND SPECIAL LAWS OF 1989

AN ACT to Authorize General Fund Bond Issues in the Amounts of \$14,500,000 and \$35,000,000 for Construction and Renovation of Correctional 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 construction and renovation of correctional facilities.

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

PART A

Sec. 1. Authorization of bonds to provide for construction and renovation of correctional 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 \$14,500,000 for the purpose of raising funds to provide for construction and renovation of correctional facilities as authorized by section 6 of this Part. 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 bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which shall be held by the Treasurer of State and paid by

the Treasurer of State upon warrants drawn by the Governor, are appropriated to be used solely for the purposes set forth in Part A of this Act. Any unencumbered balances remaining at the completion of the projects in section 6 of this Part 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 Part A of 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 of this Part shall be expended under the direction and supervision of the Director of Public Improvements in consultation with the Commissioner of Corrections.

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

CORRECTIONS, DEPARTMENT OF

Construction and Renovation— Maine Correctional Center	\$200,000
Construction and Renovation— Maine State Prison	4,510,000
Construction and Renovation— Charleston Correctional Facility	100,000
Construction and Renovation— Maine Youth Center	5,020,000
Construction—Juvenile Detention Facility in Northern Maine	4,500,000
Construction and Renovation— Downeast Correctional Facility	100,000
Construction and Renovation— Prerelease Centers	70,000

DEPARTMENT OF CORRECTIONS

TOTAL	\$14,500,000
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Sec. 7. Transfer between items. The amounts listed after the items in section 6 of this Part are to be construed as a guide. Any of the 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 7 of this Part shall not become effective unless and until the people of the State have ratified the issuance of bonds as set forth in Part A of 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 Part A 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. Referendum for ratification; submission at statewide election; form of question; effective date. Part A of 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 Part A 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 Part A of this Act by voting on the following question:

“Shall a bond issue be authorized in the amount of \$14,500,000 to build and repair correctional facilities, \$9,520,000 of which shall be for juvenile correctional 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 Part A of the Act, the Governor shall proclaim that fact without delay, and Part A of 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 Part A of this Act necessary to carry out the purpose of this referendum.

PART B

Sec. 1. Authorization of bonds to provide for construction and renovation of correctional 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 \$35,000,000 for the purpose of raising funds to provide for construction and renovation of adult correctional facilities as authorized by section 6 of this Part, including the purchase of any residential structures that lie within 1,000 feet of any maximum security prison site. 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 bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which shall be held by the Treasurer of State and paid by the Treasurer of State upon warrants drawn by the Governor, are appropriated to be used solely for the purposes set forth in Part B of this Act. Any unencumbered balances remaining at the completion of the projects in section 6 of this Part 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 Part B of 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 of this Part shall be expended under the direction and supervision of the Director of Public Improvements in consultation with the Commissioner of Corrections.

Sec. 6. Allocations from General Fund bond issue; adult correctional facilities. The proceeds of the sale of bonds shall be allocated to the Department of Corrections and expended as deemed necessary for building, repair or renovation of adult correction facilities.

Sec. 7. Contingent upon ratification of bond issue. Sections 1 to 6 of this Part shall not become effective unless and until the people of the State have ratified the issuance of bonds as set forth in Part B of 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 Part B 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. Referendum for ratification; submission at statewide election; form of question; effective date. Part B of 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 Part B of this Act by voting on the following question:

"Shall a bond issue be authorized in the amount of \$35,000,000 to build, repair or renovate adult correctional 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 Part B of the Act, the Governor shall proclaim that fact without delay, and Part B of 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 Part B of this Act necessary to carry out the purpose of this referendum.

Approved August 22, 1989

PART A

INTENT AND CONTENT

This Act would authorize the State to issue registered bonds in an amount not to exceed \$14,500,000 for the construction and renovation of correctional facilities. The bonds would run for a period not to exceed 10 years from the date of issue and would be backed by the full faith and credit of the State.

The proceeds of the bonds would be used for construction and renovation at the Maine Youth Center (\$5,020,000), Maine State Prison (\$4,510,000), Maine Correctional Center (\$200,000), Charleston Correctional Facility (\$100,000), Downeast Correctional Facility (\$100,000) and various prerelease centers (\$70,000), and for the construction of a new juvenile detention facility in Northern Maine (\$4,500,000).

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 the authorization of \$14,500,000 for the construction and renovation of correctional facilities.

A "NO" vote disapproves the bond issue.

Total Estimated Debt Service of \$19,683,750 of which Principal is \$14,500,000, Estimated Interest at 6.50% over 10 years is \$5,183,750.

PART B

INTENT AND CONTENT

This Act would authorize the State to issue registered bonds in a total amount not to exceed \$35,000,000 for the construction and renovation of correctional facilities. The bonds would run for a period not to exceed 20 years from the date of issue and would be backed by the full faith and credit of the State.

The proceeds of the bonds would be used for building, repair or renovation of adult correctional facilities at the direction of the State Department of Corrections.

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 the authorization of \$35,000,000 for the construction and renovation of correctional facilities.

A "NO" vote disapproves the bond issue.

Total Estimated Debt Service of \$60,725,000 of which Principal is \$35,000,000, Estimated Interest at 7% over 20 years is \$25,725,000.

STATE OF MAINE

CHAPTER 75

PRIVATE AND SPECIAL LAWS OF 1989 (as amended by c. 600, PL 1989)

AN ACT to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 to Fund A Capital Grants Program to Solid Waste Regional Commissions and Associations and Municipalities to Invest in Recycling Equipment and 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 grants to solid waste regional commissions and associations and municipalities to pay for the capital costs associated with purchasing recycling equipment and facilities, pursuant to regional solid waste recycling and management plans.

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

Sec. 1. Authorization of bonds to provide for fund grants to solid waste regional commissions and associations and municipalities to pay for the capital costs associated with purchas-

ing recycling equipment and 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 \$5,000,000 for the purpose of raising funds to provide for grants to solid waste regional commissions and associations and municipalities to pay for the capital costs associated with purchasing recycling equipment and 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 period longer 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 bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which shall be held by the Treasurer of State and paid by the Treasurer of State 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 projects 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~~ **Executive Director of the Maine Waste Management Agency.**

Sec. 6. Allocations from General Fund bond issue; fund grants to solid waste regional commissions and associations and municipalities to pay for the capital costs associated with purchasing recycling equipment and facilities. The proceeds of the sale of bonds shall be expended as designated in the following schedule.

To pay for the capital costs associated with purchasing recycling equipment and facilities, \$5,000,000.

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 \$5,000,000 bond issue to fund grants to solid waste regional commissions and associations and municipalities to pay for the capital costs associated with purchasing recycling equipment and 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 Part A of this Act necessary to carry out the purpose of this referendum.

Approved July 11, 1989 & August 23, 1989

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 to pay for the capital costs of the purchase of solid waste recycling equipment and facilities by regional and municipal organizations. 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 of the sale of the bonds would be used to provide grants to solid waste regional commissions and associations and municipalities to pay for the capital costs associated with purchasing recycling equipment and facilities. The grants would be administered by the State Executive Director of the Maine Waste Management Agency.

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 the authorization of a \$5,000,000 bond issue to fund regional and local purchases of solid waste recycling equipment and facilities.

A "NO" vote disapproves the bond issue.

Total Estimated Debt Service of \$5,937,500 of which Principal is \$5,000,000, Estimated Interest at 6.25% over 5 years is \$937,500.

STATE OF MAINE

CHAPTER 85

PRIVATE AND SPECIAL LAWS OF 1989

(as amended by c. 92, P&S 1989)

AN ACT to Authorize a General Fund Bond Issue in the Amount of \$20,210,000 for the Maine Vocational-Technical Institute System.

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 Maine Vocational-Technical Institute System.

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

Sec. 1. Authorization of bonds to provide for the Maine Vocational-Technical Institute System. 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 \$20,210,000 for the purpose of raising funds to finance a campus development planning study and make capital improvements at all branches of the Maine Vocational-Technical Institute System 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 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 bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which shall be held by the Treasurer of State and paid by the Treasurer of State 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 projects 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 Trustees of the Maine Vocational-Technical Institute System.

Sec. 6. Allocations from General Fund bond issue; Maine Vocational-Technical Institute System. The proceeds of the sale of bonds shall be expended as designated in the following schedule.

MAINE VOCATIONAL-TECHNICAL INSTITUTE SYSTEM

Campus Development Planning Study	
All Campuses	\$100,000
Capital Improvements	
Central Maine Vocational-Technical Institute	\$4,570,000
Capital Improvements	
Eastern Maine Vocational-Technical Institute	\$1,600,000
Capital Improvements	
Kennebec Valley Vocational-Technical Institute	\$3,296,000
Capital Improvements	
Northern Maine Vocational-Technical Institute	\$2,584,600
Property Acquisition and Capital Improvements	
Southern Maine Vocational-Technical Institute	\$4,260,000
Capital Improvements	
Washington County Vocational-Technical Institute	\$2,400,000
Capital Improvements	
Northern Maine Vocational-Technical Institute	\$1,400,000
TOTAL	\$20,210,600

Sec. 7. Transfer between items. The amounts listed after the items in section 6 are to be construed as a guide. Any of the 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 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. Referendum for ratification; 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 \$20,210,600 to make capital improvements at all campuses of the Maine Vocational-Technical Institute System?"

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 July 12, 1989 & August 23, 1989

INTENT AND CONTENT

This Act would authorize the State to issue registered bonds in an amount not to exceed \$20,210,600 to raise funds for a campus development planning study and capital improvements at all branches of the Maine Vocational-Technical Institute System. 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 of the sale of the bonds would be used to conduct a campus development planning study for all campuses of the Maine Vocational-Technical Institute System (\$100,000) and to make capital improvements at the seven Vocational-Technical Institutes in the State (\$20,210,600). The proceeds would be expended under the direction of the Trustees of the Maine Vocational-Technical Institute System.

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 the authorization of a \$20,210,600 bond issue for a campus development planning study and capital improvements for the Maine Vocational-Technical Institute System.

A "NO" vote disapproves the bond issue.

Total Estimated Debt Service of \$31,124,324 of which Principal is \$20,210,600, Estimated Interest at 6.75% over 15 years is \$10,913,724.

STATE OF MAINE

CHAPTER 80

PRIVATE AND SPECIAL LAWS OF 1989

AN ACT to Authorize a General Fund Bond Issue in the Amount of \$4,400,000 for Sewerage Facilities Construction.

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 sewerage facilities construction.

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

Sec. 1. Authorization of bonds to provide for sewerage facilities construction. 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 \$4,400,000 for the purpose of raising funds to provide for sewerage construction 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 on behalf of the State. The proceeds of the sale of the bonds, which shall be held by the Treasurer of State and paid by the Treasurer of State 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 projects 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; sewerage facilities construction. The proceeds of the sale of bonds shall be expended as designated in the following schedule.

Sewerage facilities construction	\$4,400,000
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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 \$4,400,000 bond issue for sewerage facilities construction?"

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 July 11, 1989

INTENT AND CONTENT

This Act would authorize the State to issue registered bonds in an amount not to exceed \$4,400,000 to raise funds for sewerage 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.

Proceeds from the sale of the bonds would be used to construct sewerage treatment facilities. The proceeds would be expended under the direction of the State 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 the authorization of a \$4,400,000 bond issue for sewerage treatment facilities.

A "NO" vote disapproves the bond issue.

Total Estimated Debt Service of \$5,225,000 of which Principal is \$4,400,000, Estimated Interest at 6.25% over 5 years is \$825,000.

STATE OF MAINE
CHAPTER 72
PRIVATE AND SPECIAL LAWS OF 1989

AN ACT to Authorize Department of Transportation Bond Issues in the Amount of \$21,000,000 to Match Available Federal Funds for Highway, State and Local Bridges, Harbor and Airport Improvements.

Preamble. Two-thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine to provide funds to match available federal funds for highway, bridge, harbor and airport improvements.

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

Sec. 1. Authorization of bonds to provide for highway, bridge, harbor and airport improvements. 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 \$21,000,000 for the purpose of raising funds to match available federal funds for highway, bridge, harbor and airport improvements 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 bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which shall be held by the Treasurer of State and paid by the Treasurer of State 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 projects 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 from General Fund bond issue; highway, bridge, harbor and airport improvements. 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	\$17,000,000
Total Highway Fund	\$17,000,000
General Fund Bond Issues	
Airport improvements	\$1,000,000
Harbor improvements	3,000,000
Total General Fund	\$4,000,000

Total Highway Fund and General Fund Bonds \$21,000,000

Sec. 7. Allocation of Highway Fund bond issue. Receipt of the Highway Fund for the fiscal years, from July 1, 1989, to June 30, 1990, and from July 1, 1990, to June 30, 1991, from the proceeds of the sale of bonds shall be segregated, apportioned and expended as designated in the following schedule.

	1989-90	1990-91
Highway and Bridge Improvements	\$8,500,000	\$8,500,000

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. Referendum for ratification; 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 \$21,000,000 bond issue for highway, state and local bridges, harbor and airport improvements?"

The legal voters of each city, town and plantation shall vote by ballot on this question and shall designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns and, if it appears that a majority of the legal 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 July 10, 1989

INTENT AND CONTENT

This Act would authorize the State to issue registered bonds in an amount not to exceed \$21,000,000 to raise funds to match available federal funds for highway, bridge, harbor 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.

The proceeds of the sale of the bonds would be used to match available federal funds for highway and bridge improvements (\$17,000,000), harbor improvements (\$3,000,000), and airport improvements (\$1,000,000).

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 the authorization of a \$21,000,000 bond issue for highway, bridge, harbor and airport improvements.

A "NO" vote disapproves the bond issue.

Total Estimated Debt Service of \$36,435,000 of which Principal is \$21,000,000, Estimated Interest at 7% over 20 years is \$15,435,000.

STATE OF MAINE

CHAPTER 78

PRIVATE AND SPECIAL LAWS OF 1989

AN ACT to Authorize a General Fund Bond Issue in the Amount of \$7,000,000 for Facilities Serving People with Mental Illness.

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 improvements,

major repairs, building purchase capital and other special needs of community-based nonprofit, voluntary organizations whose purpose is to provide services for people with mental illness.

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

Sec. 1. Authorization of bonds to provide for services for people with mental illness. 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 \$7,000,000 for the purpose of raising funds to provide for capital improvements, major repairs, building purchase capital and other special needs of community-based nonprofit service organizations serving persons with mental illness 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 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 the Treasurer of State 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 projects 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 Maine State Housing Authority and the Department of Mental Health and Mental Retardation which shall collaboratively promulgate rules under the Maine Administrative Procedure Act, Maine Revised Statutes, Title 5, chapter 375, dealing with eligibility, use of funds and loan payments. The Maine State Housing Authority and the Department of Mental Health and Mental Retardation shall select an advisory committee composed of members representing mental health consumers, affected family members and providers of community service programs.

Sec. 6. Allocations from General Fund bond issue; low-interest loan funds; emergency capital needs grants. The proceeds of the

sale of bonds shall be expended as designated in the following schedule.

1989-90

MAINE STATE HOUSING AUTHORITY

**Acquisition, Construction or Rehabilitation—
Mental Health Facilities**

All Other \$4,000,000

MAINE STATE HOUSING AUTHORITY

TOTAL \$4,000,000

**MENTAL HEALTH AND MENTAL
RETARDATION, DEPARTMENT OF**

Emergency Capital Needs Grants

All Other \$3,000,000

**DEPARTMENT OF MENTAL HEALTH
AND MENTAL RETARDATION**

TOTAL \$3,000,000

TOTAL ALLOCATIONS \$7,000,000

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 \$7,000,000 bond issue to provide funds that would be available, through grants and a loan fund, for programs serving persons with mental illness?”

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 July 11, 1989

INTENT AND CONTENT

This Act would authorize the State to issue registered bonds in an amount not to exceed \$7,000,000 to raise funds for the construction and maintenance of mental health facilities in the State. 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 of the sale of the bonds would be used to provide low-interest loans to community-based, nonprofit service organizations for the acquisition, construction or rehabilitation of mental health facilities (\$4,000,000) and to provide funds for emergency capital needs grants to such organizations (\$3,000,000). The loan and grant programs would be administered jointly by the Maine State Housing Authority and the State Department of Mental Health and Mental Retardation.

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 the authorization of a \$7,000,000 bond issue for community-based mental health facilities.

A “NO” vote disapproves the bond issue.

Total Estimated Debt Service of \$8,312,500 of which Principal is \$7,000,000, Estimated Interest at 6.25% over 5 years is \$1,312,500.

STATE OF MAINE

CHAPTER 69

PRIVATE AND SPECIAL LAWS OF 1989

(as amended by c. 596, PL 1989)

AN ACT to Authorize a Bond Issue in the Amount of \$12,000,000 to Deal with Asbestos and other Health Related Indoor Air Quality Hazards in Public School Facilities, Vocational-Technical Institutes and 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 to identify and correct asbestos problems in public school and state facilities.

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

Sec. 1. Authorization of bonds to provide funds to identify and correct health-related indoor air quality problems in public school facilities and 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 \$12,000,000 for the purpose of raising funds to identify and correct health-related indoor air quality problems in public schools, Maine's Vocational-Technical Institute System facilities and state facilities as authorized by section 6. For purposes of this Act, the term "public school" includes private schools approved for tuition purposes that have school enrollments of at least 60% publicly funded students. 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 bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which shall be held by the Treasurer of State and paid by the Treasurer of State 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 projects 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. In expending these funds the director shall ensure that:

1. All asbestos abatement and management activities undertaken with these funds are consistent with priorities and recommendations set forth in the adopted management plans for accessible asbestos containing materials in the facilities.

2. All asbestos abatement and management activities undertaken with these funds are conducted in accordance with the requirements of Public Law 1987, chapter 448, and the United States Asbestos Hazard Emergency Response Act of 1986, and regulations adopted thereto and the appropriate regulations adopted by the United States Occupational Safety and Health Administration and the Maine Board of Occupational and Safety and Health.

3. All activities related to radon, chemical and biological contaminant detection and elimination shall be conducted in accordance with provisions of the Toxic Substances Control Act, United States Code, Title 15, Section 2601, as amended.

4. Funds provided by this bond issue are expended through a process which ensures that indoor air quality problems which affect, or have the potential for affecting, the health of building occupants will receive the highest priority, whether located in a state, Maine Vocational-Technical Institute System or public school facility.

5. Consistent with the provisions of subsection 4, the following asbestos management services are provided to state and public school facilities and are listed below in priority order:

A. Abatement of imminent hazards;

B. Abatement of priority 1 and priority 2 hazards as identified by the adopted management plans;

C. Abatement of friable asbestos-containing materials in inaccessible areas impacted by facility construction projects conducted after January 1, 1989;

D. Provision of engineering and hygiene activities specifically related to asbestos abatement conducted after January 1, 1989; and

E. For any portion of a project that is not eligible under paragraph A, B or C above, provision of services or financial support equivalent to 25% of the costs, up to a maximum of \$100,000 for any one school district, of abating asbestos-containing materials in public school areas impacted by facility construction projects conducted after January 1, 1989.

6. Funds provided by this bond issue may be expended for training, assistance and equipment which is directly related to prevent-

ing the development of indoor air quality hazards in state and public school facilities.

7. Of the funds provided by this bond issue, \$150,000 shall be allocated to the Department of Educational and Cultural Services to be disbursed as matching funds to school administrative units for the removal of hazardous chemicals as defined in rules promulgated by the Department of Educational and Cultural Services. The Department of Educational and Cultural Services, in consultation with the Department of Administration, shall coordinate the removal of hazardous chemicals on a regional basis and shall oversee and ensure the cost effectiveness of removal efforts. **This subsection shall be retroactive to June 1, 1988, to provide direct matching grants to those school districts that have already incurred costs in the removal of obsolete and hazardous chemicals from schools.**

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

Identification and Correction of Health-Related Indoor Air Quality Hazards in Public Schools, including asbestos, radon, chemicals and biological hazards.	\$10,000,000
Identification and Correction of Health-Related Indoor Air Quality Hazards in State and Maine Vocational-Technical Institute System Facilities, including asbestos, radon, chemicals and biological hazards.	\$2,000,000
Total	\$12,000,000

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 \$12,000,000 bond issue for detection and removal of asbestos and other health-related indoor air quality hazards in state facilities and public schools and removal of hazardous chemicals from 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 July 7, 1989 & August 23, 1989

INTENT AND CONTENT

This Act would authorize the State to issue registered bonds in an amount not to exceed \$12,000,000 to raise funds for the removal of asbestos and the correction of other health-related indoor air quality problems in various public 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 expended by the State to identify and correct health-related indoor air quality hazards in the facilities of the State government and Maine Vocational-Technical Institute System (\$2,000,000 total) and schools (\$10,000,000). The State shall determine the order in which air quality improvement projects shall be funded in accordance with a priority schedule set forth in the Act and applicable federal and state regulations. Hazards which may be addressed include asbestos, radon, and chemical and biological contaminants.

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 the authorization of a \$12,000,000 bond issue for the identification and correction of asbestos and other health-related indoor air quality hazards in various public facilities.

A "NO" vote disapproves the bond issue.

Total Estimated Debt Service of \$16,290,000 of which Principal is \$12,000,000, Estimated Interest at 6.50% over 10 years is \$4,290,000.

STATE OF MAINE

CHAPTER 81

PRIVATE AND SPECIAL LAWS OF 1989

AN ACT to Authorize a General Fund Bond Issue in the Amount of \$6,000,000 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 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 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 on behalf of the State. The proceeds of the sale of the bonds, which shall be held by the Treasurer of State and paid by the Treasurer of State 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 projects 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; remediation and closure of solid waste landfills. The proceeds of the sale of bonds shall be expended as designated in the following schedule.

1989-90

ENVIRONMENTAL PROTECTION,
DEPARTMENT OF

**Municipal Implementation
Grants Program**

All Other

\$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 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.

Approved July 11, 1989

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 remediation and closure of solid waste landfills. The bonds would run for a period not to exceed 5 years and would be backed by the full faith and credit of the State.

Proceeds of the sale of the bonds would be used to provide grants to the municipalities of the State for the remediation and closure of solid waste landfills. The proceeds would be expended under the direction of the State 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 the authorization of a \$6,000,000 bond issue for the remediation and closure of solid waste landfills.

A "NO" vote disapproves the bond issue.

Total Estimated Debt Service of \$7,125,000 of which Principal is \$6,000,000, Estimated Interest at 6.25% over 5 years is \$1,125,000.

STATE OF MAINE

CHAPTER 84

PRIVATE AND SPECIAL LAWS OF 1989

AN ACT to Authorize a General Fund Bond Issue in the Amount of \$15,000,000 to Provide Funds for Acquiring and Preserving Land for Affordable Housing and for the Development of Affordable Housing.

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 acquiring and preserving land for affordable housing and for the development of affordable housing

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

Sec. 1. Authorization of bonds for affordable housing. 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 \$15,000,000 for the purpose of developing affordable housing as authorized by section 7. Of this amount:

1. \$4,000,000 shall be used to provide grants and low-interest loans to municipalities as governed by the Maine Revised Statutes, Title 30-A, chapter 201, subchapter II;

2. \$5,000,000 shall be used for the purpose of acquiring land for affordable housing as governed by Title 30-A, chapter 201, subchapter IV;

3. \$3,000,000 shall be used to preserve affordable housing under Title 30-A, chapter 201, subchapter XII;

4. \$2,000,000 shall be used to restore deteriorating residential areas as governed by Title 30-A, chapter 201, subchapter VI; and

5. \$1,000,000 shall be used to capitalize the Mortgage Insurance Fund administered by the Maine State Housing Authority.

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 on behalf of the State. The proceeds of the sale of the bonds, which shall be held by the Treasurer of State and paid by the Treasurer of State 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 projects in section 7 shall lapse to the debt service account established for the retirement of these bonds.

Sec. 4. Taxable bond option. With respect to bonds issued for purposes governed by Title 30-A, chapter 201, 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. All efforts shall be made to maximize the use of tax-exempt bonds.

Sec. 5. 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. 6. Disbursement of bond proceeds. The proceeds of the bonds set out in section 7 shall be expended under the direction and supervision of the Department of Economic and Community Development and the Maine State Housing Authority as defined in section 7.

Sec. 7. Allocations from General Fund bond issue; affordable housing. The proceeds of the sale of bonds shall be expended as follows.

1989-90

ECONOMIC AND COMMUNITY DEVELOPMENT,
DEPARTMENT OF

Maine Housing Alliance

Municipal Revolving Loan Fund

All Other \$4,000,000

These funds will be used to create a nonlapsing fund which will provide grants and low-interest loans to municipalities for improvements to land, including, but not limited to, necessary public service infrastructure for the development of affordable housing.

Maine Housing Alliance

Municipal Land Acquisition Revolving Fund

All Other \$500,000

These funds will be used to create a nonlapsing fund to provide low-interest loans to municipalities for the acquisition of land for affordable housing, pursuant to Title 30-A, chapter 201, subchapter IV.

Housing Opportunity Zones Fund

All Other \$2,000,000

These funds shall be used to create a nonlapsing fund to provide grants and loans for the restoration of dwelling units, assistance to shelters for the homeless, removal of structures, and the creation of recreational and park areas pursuant to the Maine Revised Statutes, Title 30-A, chapter 201, subchapter VI.

Maine State Housing Authority

Maine Affordable Housing Land Trust Fund

All Other \$4,500,000

These funds shall be used to create a nonlapsing fund to provide grants and loans to nonprofit housing corporations for the acquisition of land for affordable housing pursuant to Title 30-A, chapter 201, subchapter IV.

Maine State Housing Authority

Housing Opportunities for Maine Fund

All Other \$3,000,000

These funds shall be used to preserve low-income and moderate-income housing pursuant to Title 30-A, chapter 201, subchapter XII.

Mortgage Insurance Fund

All Other \$1,000,000

These funds shall be used to capitalize the Mortgage Insurance Fund to develop affordable housing for low-income and moderate-income households.

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. 10. Referendum for ratification; 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 in the amount of \$15,000,000 be approved to enhance affordable housing opportunities for the people of the State of Maine?"

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 July 12, 1989

INTENT AND CONTENT

This Act would authorize the State to issue registered bonds in an amount not to exceed \$15,000,000 to raise funds for developing affordable housing. The bonds would run for a period not to exceed 10 years from the date of issue and would be backed by the full faith and credit of the State.

The proceeds of the sale of the bonds would be used to provide grants and low interest loans to municipalities to provide for improvements to land, including necessary public works, for the development of affordable housing (\$4,000,000); low interest loans to municipalities for the acquisition of land for affordable housing (\$500,000); grants and loans for the restoration of single and multi-family houses, assistance to shelters for the homeless, removal of structures and creation of recreational and park areas (\$2,000,000); grants and loans to nonprofit housing corporations for the acquisition of land for affordable housing (\$4,500,000); funds to preserve low income and moderate income housing (\$3,000,000); and funds to capitalize the Mortgage Insurance Fund to develop affordable housing for low income and moderate income households (\$1,000,000).

The proceeds would be expended under the direction and supervision of the State Department of Economic and Community Development and the Maine State Housing Authority.

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 the authorization of a \$15,000,000 bond issue for the development of affordable housing.

A "NO" vote disapproves the bond issue.

Total Estimated Debt Service of \$20,362,500 of which Principal is \$15,000,000, Estimated Interest at 6.50% over 10 years is \$5,362,500.

CHAPTER 1

CONSTITUTIONAL RESOLUTION OF 1989

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Commit State Support of Affordable Housing.

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. IX, §14-E is enacted to read:

Section 14-E. Authority to insure payment of mortgage loans. For the purpose of fostering and encouraging the acquisition, construction, repair and remodeling of affordable housing owned or to be owned by Maine citizens, the Legislature by proper enactment may insure the payment of mortgage loans on such houses not exceeding in the aggregate \$25,000,000 at any one time and may also appropriate funds and authorize the issuance of bonds on behalf of the State at such times and in such amounts as it may determine to make payments insured in this section.

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, 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 as proposed by a resolution of the Legislature to insure the payment of mortgage loans for affordable housing for Maine citizens, not to exceed \$25,000,000 in the aggregate?"

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 amendment, the Governor shall proclaim that fact without delay, and the amendment shall become part of the Constitution on the date of the proclamation; and be it further

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.

INTENT AND CONTENT

The proposed amendment would authorize the Legislature to provide for the insurance of the payment of mortgage loans by Maine citizens in amounts not to exceed \$25,000,000 in the aggregate at any one time in order to encourage the availability of affordable housing in the State, and to appropriate funds and authorize the issuance of bonds to make such payments as are required by the insurance guarantees. By amending the Constitution, this provision would render unnecessary the approval of either the issuance of the insurance guarantees or the issuance of bonds to cover those guarantees by the voters of the State, as is currently required by the Constitution.

A "YES" vote approves the amending of the State Constitution as proposed.

A "NO" vote disapproves the proposed amendment.

STATE OF MAINE

CHAPTER 589

PUBLIC LAW OF 1989

AN ACT Authorizing a Referendum to Ratify a Contract for the Disposal of Low-level Radioactive Waste.

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

Whereas, the Governor has negotiated a contract with the Rocky Mountain Low-level Radioactive Waste Board for disposal of low-level radioactive waste generated in Maine, if necessary, for the period January 1, 1990 to December 31, 1992 at the existing Rocky Mountain Low-level Radioactive Waste Board site in Beatty, Nevada; and

Whereas, existing law requires legislative ratification of any compact or agreement with any other state or states for low-level waste disposal; and

Whereas, existing law requires approval by a majority of the voters voting in the next following statewide election following execution of a compact or agreement with any other state or states for the disposal of low-level radioactive waste; and

Whereas, the Secretary of State must undertake the preparation of ballots prior to the 90th day following adjournment of the First Regular Session of the 114th Legislature; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, Be in enacted by the People of the State of Maine as follows:

Sec. 1. 38 MRSA §1529 is enacted to read:

§1529. Payments to the Rocky Mountain Low-level Radioactive Waste Board

1. Payments by generators. All generators of low-level radioactive waste that shipped low-level radioactive waste out of State for disposal in the previous calendar year shall pay assessments to the authority as calculated under subsection 3, in accordance with a contract between the Governor and the member states of the Rocky Mountain Low-level Radioactive Waste Board duly approved by referendum.

2. Base assessments. Base assessments shall be made as follows.

A. The authority shall assess all generators of low-level radioactive waste in this State that shipped low-level radioactive waste out of State for disposal in the last calendar year based on the formula in subsection 3, paragraph A. Each generator assessed shall make payment within 30 days.

B. Payment amounts shall be transmitted to the Rocky Mountain Low-level Radioactive Waste Board as follows, on or before:

(1) January 1, 1990, the sum of \$168,750;

(2) January 1, 1991, the sum of \$168,750; and

(3) January 1, 1992, the sum of \$168,750.

3. Generator assessments and entitlements. The generator assessment and entitlement for each generator covered under this section shall be calculated as follows.

A. Each generator shall be assessed a portion of the base assessment based on the amount of low-level radioactive waste shipped by that generator in the previous calendar year, divided by the total amount of low-level radioactive waste shipped from the State in the previous calendar year and multiplied by the sum of \$168,750.

B. Each generator shall receive an entitlement to ship low-level radioactive waste without further assessments under this section based on the amount of low-level radioactive waste shipped by that generator in the previous calendar year, multiplied by a fraction, the numerator of which is 3750 and the denominator of which is the total volume of low-level radioactive waste shipped from the State in the previous calendar year.

The assessments shall be in addition to any other charges, taxes or surcharges that may be imposed on generators or brokers of low-level radioactive waste for the disposal of low-level radioactive waste at any regional disposal facility. The authority shall take all necessary action, including legal action, to recover such

assessments from all low-level generators shipping waste out of State for disposal. The authority may require additional assessments from generators assessed under this section to meet the financial requirements of the contract. This additional assessment shall be refunded upon payment of previously unpaid base assessments. If a generator does not pay the base assessment for the current year within 30 days of the assessment, that generator's entitlement shall be withdrawn and reallocated.

4. Additional assessments. After a generator has shipped low-level radioactive waste in excess of that generator's entitlement under subsection 3, paragraph B, the authority shall assess that generator \$55 per cubic foot for any additional volume shipped, to be paid within 30 days. This assessment shall be made in addition to any other charges, taxes or surcharges that may be imposed on generators or brokers of low-level radioactive waste at any regional disposal facility.

5. Segregation of accounts. The authority shall establish a Rocky Mountain contract account and shall deposit all revenues received under this section in that account. The authority shall keep these revenues separate from all other accounts, using them solely for compensating the Rocky Mountain Low-level Radioactive Waste Board in accordance with the contract referred to in subsection 1. Upon termination of the contract and after payment of any amounts owed, and reimbursement for the authority's reasonable administrative costs, any surplus remaining in the Rocky Mountain contract account shall be returned pro rata to the generators that paid assessments into the account.

Sec. 2. Disposal contract with Rocky Mountain Low-level Radioactive Waste Board. The Legislature ratifies, endorses and recommends for approval by a majority of the voters in accordance with the Maine Revised Statutes, Title 38, section 1494, a contract between the State and the member states of the Rocky Mountain Low-level Radioactive Waste Board for access to facilities for the disposal of all low-level radioactive waste generated in the State and for which the state is responsible for the period beginning January 1, 1990, and ending December 31, 1992.

Sec. 3. Referendum for ratification; submission at statewide election; form of question; effective date. This Act shall be submitted to the legal voters of the State of Maine pursuant to the Maine Revised Statutes, Title 38, section 1494 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 contract by voting on the following question:

"Do you approve of the agreement for the disposal of low-level radioactive waste proposed to be made with the Rocky Mountain Low-level Radioactive Waste Board whose member states are Colorado, Nevada, New Mexico and Wyoming for disposal of low-level radioactive waste at an existing facility in Beatty, Nevada?"

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 contract, the Governor shall proclaim that fact without delay, and the contract 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.

Emergency clause. In view of the emergency cited in the preamble, sections 2 and 3 of this Act shall take effect when approved. Section 1 of this Act shall take effect 30 days after the Governor proclaims that a majority of the legal voters have voted in favor of the contract.

Effective July 12, 1989 (Emergency)

INTENT AND CONTENT

This Act places before the voters, as required by earlier initiated legislation, a contract negotiated by the Governor with the Rocky Mountain Low-level Radioactive Waste Board providing for the disposal of low-level radioactive waste generated in Maine for the period January 1, 1990 to December 31, 1992 at the Board's site in Beatty, Nevada. Under the terms of the contract, the cost of disposal will be borne by the generators of the waste (largely electrical power companies), and not by the taxpayers. Under the terms of existing federal law, a failure of the State to enter into a contract for the out-of-state disposal of low-level radioactive waste by January 1, 1990 means that the State must provide for its own site after that date.

A "YES" vote approves the contract between the State of Maine and the Rocky Mountain Low-level Radioactive Waste Board for the disposal of low-level radioactive waste generated in Maine between January 1, 1990 and December 31, 1992.

A "NO" vote disapproves the contract.