

# MAINE STATE LEGISLATURE

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ELECTIONS - 1990 (Nov.)

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AUGUSTA, MAINE

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

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



To be voted upon at the General Election,  
Tuesday, November 6, 1990.

G. William Diamond  
Secretary of State

Appropriation 010 29A 2213 012

NOV 7 1990



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.

Because an active and well informed citizenry is vital to any representative form of government, an important part of my job, as Maine's chief elections officer, is to provide Maine citizens with information regarding this fall's initiative and ballot questions.

Toward this end, my office, the State Treasurer and Attorney General have worked together to provide you with this brochure explaining the upcoming bond issues, proposed constitutional amendment and initiative. It is our hope that this information will enable you to become better aware of these issues prior to confronting them on November 6, 1990.

This brochure includes the legislative documents pertaining to each proposal, as well as a summary of their intent and content, an explanation of the significance of a vote for or against the measure and the costs involved. I hope that this material will be helpful, and that you will choose to vote in this and every election.

Sincerely,

G. WILLIAM DIAMOND  
Secretary of State

## LISTING OF INITIATIVE, BOND ISSUES AND CONSTITUTION AMENDMENT to be Voted on November 6, 1990

### Initiative Question

1. Do you favor the change in Maine Law that would allow all stores a choice to open on Sunday and certain holidays, provided stores in excess of 5000 square feet of selling space do not require their employees to work on such days proposed by citizen petition?

### Bond Issues

2. "Do you favor a \$4,500,000 bond issue for the acquisition of certain rail lines, rail trackage rights or easements or ancillary rights and interests for the establishment, preservation and operation of rail service in Maine?"
3. "Do you favor a \$5,000,000 bond issue for the correction of major maintenance problems of an emergency nature in public schools?"
4. "Do you favor a \$3,000,000 bond issue for the investigation, abatement, clean up and mitigation of uncontrolled hazardous substance sites that pose a hazard to public health, the environment and ground water quality?"
5. "Shall a bond issue for the purchase of public lands to provide access for Maine's people and for construction to replace Churchill Dam in the amount of \$19,000,000 be approved?"
6. "Shall a bond issue be authorized in the amount of \$20,250,000 to build, purchase, plan and renovate correctional facilities and to study future operation needs?"
7. "Do you favor a \$9,000,000 bond issue for construction of water pollution control facilities?"
8. "Do you favor a \$5,000,000 bond issue for the restoration and preservation of historic buildings open to the public and needed improvements at state parks and historic sites needed to protect the public health and safety and to provide access for persons with disabilities?"

### Constitutional Amendment

9. "Shall the Constitution of Maine be amended as proposed by a resolution of the Legislature to insure payment of mortgage loans for the purpose of encouraging the acquisition, construction, repair or remodeling of housing for Maine citizens?"

STATE OF MAINE

SPECIMEN BALLOT

Referendum Election, November 6, 1990

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, 1990.

Table with 2 columns: Description and Amount. Rows include Bonds Outstanding and Unpaid to Mature Through 2008 (\$306,275,000), Interest to be Repaid on Bonds Issues (93,504,282), Total to be Repaid on Bonds Issued (\$399,779,282), Additional Bonds Authorized But Not Yet Issued (\$222,830,600), Limit of Contingent Bonds Liability Authorized by Constitution and Laws But Unissued (100,727,037), Total Bonds Authorized But Unissued (\$323,557,637), Total Additional Bonds to be Authorized if Ratified by Voters (\$65,750,000), and Potential New Estimate of Interest (\$24,778,625).

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 \$24,778,625 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 \$90,528,625. The amount that must be paid in the present fiscal year (July 1, 1990 to June 30, 1991) for debt already outstanding is \$46,055,000 in principal and \$18,786,430 in interest, a total of \$64,841,430.

Samuel 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 elector of the State of Maine, qualified to vote for Governor, residing in Maine, whose name has been certified, hereby respectfully proposes to the legislature for its consideration the following entitled bill: An Act to Amend the Sunday Sales Law.

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

17 MRSA §3204, 2nd ¶, as amended by PL 1985, c. 509, is further amended to read:

This section shall not apply to: The operation or maintenance of common, contract and private carriers; taxicabs; airplanes; newspapers; radio and television stations; hotels, motels, rooming houses, tourist and trailer camps; restaurants; garages and motor vehicle service stations; retail monument dealers; automatic laundries; machines that vend anything of value, including, but not limited to, a product, money or service; a satellite facility approved by the Superintendent of Banking under Title 9-B; or comparable facility approved by the appropriate federal authority; pharmacies; greenhouses; seasonal stands engaged in sale of farm produce, dairy products, sea food or Christmas trees; public utilities; industries normally kept in continuous operations, including, but not limited to, pulp and paper plants and textile plants; processing plants handling agricultural produce or products of the sea; ship chandleries; marinas; establishments primarily selling boats, boating equipment, sporting equipment, souvenirs and novelties; motion picture theatres; public dancing; sports and athletic events; bowling alleys; displaying or exploding fireworks, under Title 8, chapter 9; musical concerts; religious, educational, scientific or philosophical lectures; scenic, historic, recreational and amusement facilities; real estate brokers and real estate salesmen; mobile home brokers and mobile home salesmen; provided that this section shall not exempt the businesses or facilities specified in sections 3205 and 3207 from closing in any municipality until the requirements of those sections have been met; stores wherein no more than 5 persons, including the proprietor, are employed in the usual and regular conduct of business; stores which have no more than 5,000 square feet of interior customer selling space, excluding back room storage, office and processing space; and stores with more than 5,000 square feet of interior customer selling space which engage in retail sales and which do not require, as a condition of employment, that their employees work on Sundays. In no event, however, shall any store having more than 5,000 square feet of interior customer selling space be open on Easter Day, Thanksgiving Day and Christmas Day.

Do you favor the change in Maine Law that would allow all stores a choice to open on Sunday and certain holidays, provided stores in excess of 5000 square feet of selling space do not require their employees to work on such days proposed by citizen petition?

STATE OF MAINE

PROCLAMATION

WHEREAS, written petitions bearing the signatures of 45,498 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 twenty-five days after the convening of the One Hundred and Fourteenth Legislature in Second Regular Session, requesting that the Legislature consider an act entitled "An Act to Amend the Sunday Sales Law;" and

WHEREAS, the initiated act, known as Legislative Document 2371, was referred to the Joint Standing Committee on Business Legislation, which held a public hearing on March 7, 1990; and

WHEREAS, on March 9, 1990 the Maine House of Representatives accepted the Unanimous Ought Not to Pass Report and on March 12, 1990, the Maine Senate accepted the Unanimous 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 6, 1990 so that "An Act to Amend the Sunday Sales Law" 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 seventh day of September in the year of our Lord One Thousand Nine Hundred and Ninety.

JOHN R. MCKERNAN, JR.  
Governor

G. WILLIAM DIAMOND  
Secretary of State

Corrected Proclamation

Do you favor the change in Maine Law that would allow all stores a choice to open on Sunday and certain holidays, provided stores in excess of 5000 square feet of selling space do not require their employees to work on such days proposed by citizen petition?

INTENT AND CONTENT

Under current law, the operation of a place of business in Maine on Sundays (except the Sundays between Thanksgiving and Christmas) and certain national holidays is prohibited if the business has more than 5,000 square feet of interior customer selling space or employs more than 5 persons. The law also exempts businesses which fit into one of 31 specified categories, such as restaurants, motor vehicle service stations, pharmacies and sporting goods stores.

This initiated legislation would remove the prohibition (except for Easter Sunday, Thanksgiving Day and Christmas Day) for retail stores of more than 5,000 square feet and 5 employees, so long as those stores do not require, as a condition of employment, that their employees work on Sundays.

A "YES" vote approved the initiated legislation.

A "NO" vote disapproves the initiated legislation.

STATE OF MAINE

CHAPTER 135

PRIVATE & SPECIAL LAWS OF 1989

**An Act to Authorize a General Fund Bond Issue in the Amount of \$4,500,000 for Acquisition of Certain Rail Lines, Rail Trackage Rights or Easements or Ancillary Rights and Interests for the Establishment, Preservation and Operation of a Rail System to Service Maine**

**Preamble.** Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine to provide funds for the acquisition of certain rail lines, rail trackage rights or easements or ancillary rights and interests.

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

**Sec. 1. Authorization of bonds to provide for the acquisition of certain rail lines, rail trackage rights or easements or ancillary rights and interests for the establishment, preservation and operation of a rail system to service Maine.** 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 \$4,500,000 for the purpose of raising funds to provide for the acquisition of certain rail lines, rail trackage rights or easements or ancillary rights and interests 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 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.** The proceeds of the sale of bonds shall be expended as follows.

\$4,500,000

For the acquisition of rail lines, rail trackage rights or easements or ancillary rights and interests, including, without limitation, the following.

1. Augusta — Brunswick Lower Road:

Also certain parcels of land and main line (right-of-way), together with, to the extent assignable, all of the seller's right, title and interest in and to all leases, licenses, franchises, easements, joint facilities agreements and other agreements of whatsoever nature which relate to said land and main line (right-of-way), situated in the State of Maine and bounded and described as follows:

The main line of Railroad (right-of-way) running from MP 28.0 in the Town of Brunswick, Maine to MP 63.00 in the City of Augusta, Maine as shown on plans entitled "Right-of-Way and Track Map, Maine Central RR Company, operated by the Maine Central Railroad Company," and dated June 30, 1916, on file in the office of the Chief Engineer of the Maine Central Railroad Company, Iron Horse Park, North Billerica, Massachusetts 01862, Valuation Section 1, sheets 23 to 57 inclusive. Said line of railroad being more particularly described as all railroad rights-of-way situated in the Towns and Cities of Brunswick, Topsham, Bowdoinham, Richmond, Gardiner, Farmingdale, Hallowell and Augusta, Counties of Cumberland, Sagadahoc and Kennebec, State of Maine, together with all structures, fixtures, bridges, trackage and all other appurtenances whatsoever situated upon said railroad main line rights-of-way which are used in connection with or are appurtenant to said railroad main line rights-of-way.

2. Cobbosseecontee Branch:

Also certain parcels of land and branch line (right-of-way), together with, to the extent assignable, all of the seller's right, title and

interest in and to all leases, licenses, franchises, easements, joint facilities agreements and other agreements of whatsoever nature which relate to said land and branch line (right-of-way), situated in the State of Maine and bounded and described as follows:

The branch line of Railroad (right-of-way) running from Valuation Station 0+00 (2626+94 on the Lower Road) to Valuation Station 60+86.1 in the City of Gardiner, as shown on plans entitled "Right-of-Way and Track Map, Maine Central RR, operated by Maine Central Railroad Company" dated June 30, 1916, on file at the office of the Chief Engineer of the Maine Central Railroad Company, Iron Horse Park, North Billerica, Massachusetts 01862, Valuation Section 1A, sheets 1 and 2. Said line of railroad being more particularly described as all railroad rights-of-way situated in the Town of Gardiner, County of Kennebec, State of Maine together with all structures, fixtures, trackage and all other appurtenances whatsoever situated upon said railroad branch line rights-of-way which are used in connection with or are appurtenant to said railroad branch line rights-of-way.

Also, trackage or haulage rights or easements over certain rail lines situated within the State for overhead freight or nonrevenue operations in order to facilitate rail freight service in the State.

Also, trackage rights or easements over any rail line situated within or outside of the State for the movement of passengers, including, without limitation, rights to locations for stations in the State for boarding and discharging passengers.

The Commissioner of Transportation shall endeavor to acquire such rail lines, rail trackage rights or easements or ancillary rights and interests as the commissioner finds to be necessary or proper for the establishment, preservation and operation of rail services for the State, including those set forth above, to the extent the commissioner determines appropriate.

3. Rockland — Augusta Connector Line:

Certain parcels of land and branch line (right-of-way), together with, to the extent assignable, all of the seller's right, title and interest in and to all leases, licenses, franchises, easements, joint facilities agreements and other agreements of whatsoever nature which relate to said land and branch line (right-of-way), situated in the State of Maine and bounded and described as follows:

The branch line of Railroad (right-of-way) running from MP 29.40 in the Town of Brunswick, Maine, to MP 33.79 in the Town of Brunswick, Maine, as shown on plans entitled "Right of Way and Track Map, Maine Central RR, operated by the Maine Central Railroad Company" and dated June 30, 1916, on file in the office of the Chief Engineer of the Maine Central Railroad Company, Iron Horse Park, North Billerica, Massachusetts 01862, Valuation Section 1, sheets 22 and 23 and Valuation Section 6, sheets 1 to 5, inclusive. Said line of railroad being more particularly described as all railroad rights-of-way situated in the Town of Brunswick, Cumberland County, State of Maine, together with all structures, fixtures, bridges, trackage and all other appurtenances whatsoever situated upon said railroad branch line rights-of-way which are used in connection with or are appurtenant to said railroad branch line rights-of-way.

**Sec. 7. State acquisition, lease or rehabilitation of rail lines, rail trackage rights or easements or ancillary rights and interests.** The Commissioner of Transportation may enter into agreements

for the acquisition of any rail line, rail trackage or haulage rights or easements or ancillary rights and interests. The commissioner shall not enter into any acquisition agreement under the terms of which the State assumes any labor protection costs and any labor protection costs imposed by the Interstate Commerce Commission as a part of the authority to abandon any rail line shall not be borne by the State.

In order to carry out the purposes of this bond issue, the Department of Transportation is authorized to exercise the power of eminent domain. In the event that the department decides to acquire rail line, rail trackage rights or easements or ancillary rights and interests by condemnation, the department shall have the property appraised and offer to the owner as just compensation the constitutional minimum value. Except as otherwise required by law, the compensation shall not include the cost of providing a protective arrangement concerning the interest of the railroad's employees. The department shall file in the registry of deeds for the county or counties, or registry district or districts, where the property is located a notice of condemnation which contains a description of the property and the interest taken and the name or names of the owner or owners of record as far as they can be reasonably determined. The department may join in the same notice one or more separate properties whether in the same or different ownership. A check in the amount of the offer and a copy of the notice of condemnation shall be served on the owner or owners of record. If there is multiple ownership, the check may be served on any one of the owners of each separate property. The notice of condemnation shall be published once in a newspaper of general circulation in the county where the property is located and that publication constitutes service on any unknown owner or owners or other persons who may have or claim an interest in the property.

In the event that the owner or owners of record are aggrieved by the department's offer, they may appeal to the Kennebec County Superior Court within 30 days after the date of service or publication of the order or notice of condemnation. The appeal shall be taken by filing a complaint setting forth the facts upon which the case shall be tried according to the Maine Rules of Civil Procedure. The Superior Court shall determine compensation by a jury verdict, or, if all parties agree, by the court without a jury or by a referee or referees and shall render judgment for any compensation, with interest when it is due. Each party shall bear its own costs of the proceeding.

**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 general election; form of question; effective date.** This Act shall be submitted to the legal voters of the State of Maine at the next general election in

the month 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 general election, to vote on the acceptance or rejection of this Act by voting on the following question:

“Do you favor a \$4,500,000 bond issue for the acquisition of certain rail lines, rail trackage rights or easements or ancillary rights and interests for the establishment, preservation and operation of rail service in 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 April 20, 1990

## INTENT AND CONTENT

This Act would authorize the State to issue registered bonds in an amount not to exceed \$4,500,000 to raise funds for the acquisition of certain rail lines, rail trackage rights or easements or ancillary rights and interests. 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 bonds would be used to acquire rail lines including, but not limited to, the existing rail line from Augusta to Brunswick, the existing Cobbosseecontee Branch of that line in Gardiner, and the existing Rockland-Augusta connector line of that line in Brunswick. The proceeds would be expended under the direction of the State Commissioner of Transportation, who is directed not to assume any labor protection costs in exercising his authority under the Act.

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 \$4,500,000 bond issue for the acquisition of certain rail lines, rail trackage rights or easements or ancillary rights and interests.

A "NO" vote disapproves the bond issue.

Total Estimated Debt Service of \$5,364,000 of which Principal is \$4,500,000, Estimated Interest at 6.40% over 5 years is \$864,000.

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## STATE OF MAINE

### CHAPTER 131

#### PRIVATE & SPECIAL LAWS OF 1989

##### **An Act to Authorize a Bond Issue in the Amount of \$5,000,000 to Deal with Major Maintenance Problems in Public School 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 correct major maintenance problems of an emergency nature in public school facilities.

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

**Sec. 1. Authorization of bonds to provide funds to correct major maintenance problems of an emergency nature in public school 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 correct major maintenance problems of an emergency nature to include underground oil tank removal, reconstruction due to emergency hazardous material removal and roof replacement in public schools. For the 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 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 him upon warrants drawn by the State Controller, are appropriated to be used solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in section 6 shall lapse to the debt service account established for the retirement of these bonds.

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

**Sec. 5. Disbursement of bond proceeds.** The proceeds of the bonds set out in section 6 shall be expended under the direction and supervision of the Commissioner of Education. In expending these funds, the commissioner shall adopt rules that will ensure the following.

1. Funds provided by this bond issue are expended through a process that ensures that major maintenance problems of an emergency nature that by law or rule must be alleviated or that affect or have the potential to affect the health and safety of the building occupants will receive the highest priority regardless of size or location of the facility.

2. All construction and reconstruction will be conducted in accordance with applicable state and federal laws and rules.

3. The provisions of this program are retroactive to include all major maintenance projects where construction started on or after July 1, 1988.

4. First priority shall be given to underground fuel tank removal and 2nd priority to reconstruction of facilities due to hazardous material removal.

**Sec. 6. Allocations from General Fund bond issue; major maintenance problems of an emergency nature in public schools.** Funds shall be disbursed on the basis of 75% state matching funds in accordance with a priority system established by the Commissioner of Education and with the approval of the commissioner. The remaining 25% of the cost shall be borne by participating local school units and will not be eligible for state reimbursement.

**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. Referendum for ratification; submission at general election; form of question; effective date.** This Act shall be submitted to the legal voters of the State of Maine at the next general election in the month 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 general election, to vote on the acceptance or rejection of this Act by voting on the following question:



“Do you favor a \$5,000,000 bond issue for the correction of major maintenance problems of an emergency nature in 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 or 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 April 20, 1990

### 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 correct major maintenance problems of an emergency nature in public school 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 for construction or reconstruction at public schools to correct major maintenance problems of an emergency nature having the potential to affect the health and safety of the building occupants, including underground oil tank removal, emergency hazardous material removal and roof replacement. Projects on which construction started on or after July 1, 1988 are eligible. The proceeds would be expended under the direction of the State Commissioner of Education pursuant to rules adopted by her.

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 for the correction of major maintenance problems of an emergency nature in public schools.

A “NO” vote disapproves the bond issue.

Total Estimated Debt Service of \$5,960,000 of which Principal is \$5,000,000, Estimated Interest at 6.40% over 5 years is \$960,000.

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## STATE OF MAINE

### CHAPTER 132

#### PRIVATE & SPECIAL LAWS OF 1989

**An Act to Authorize a General Fund Bond Issue in the Amount of \$3,000,000 to Investigate, Abate, Clean up and Mitigate Threats to the Public Health and the Environment from Uncontrolled Hazardous Substance Sites**

**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 investigate, abate, clean up and mitigate threats to public health and the environment from uncontrolled hazardous substance sites or other hazardous waste discharges.

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

**Sec. 1. Authorization of bonds to provide for funds to investigate, abate, clean up and mitigate threats to public health and the environment from uncontrolled hazardous substance sites.** The Treasurer of State is authorized, under the direction of the Governor, to issue from time to time registered bonds in the name and behalf of the State to an amount not exceeding \$3,000,000 for the purpose of raising funds to investigate, abate, clean up and mitigate threats to public health and the environment from uncontrolled hazardous substance sites as authorized in 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 project in section 6 shall lapse to the debt service account established for the retirement of these bonds.

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

**Sec. 5. Disbursement of bond proceeds.** The proceeds of the bonds set out in section 6 shall be expended under the direction and supervision of the Commissioner of Environmental Protection.

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

	1990-91
<b>ENVIRONMENTAL PROTECTION, DEPARTMENT OF</b>	
Investigation, abatement, clean up and mitigation of threats to public health and the environment from uncontrolled hazardous substance sites or other hazardous waste discharges.	\$3,000,000

**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. Referendum for ratification; submission at general election; form of question; effective date.** This Act shall be submitted to the legal voters of the State of Maine at the next general election in the month 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 general election, to vote on the acceptance or rejection of this Act by voting on the following question;

“Do you favor a \$3,000,000 bond issue for the investigation, abatement, clean up and mitigation of uncontrolled hazardous substance sites that pose a hazard to public health, the environment and 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 or 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 April 20, 1990

#### INTENT AND CONTENT

This Act would authorize the State to issue registered bonds in an amount not to exceed \$3,000,000 to raise funds to investigate, abate, clean up and mitigate threats to the public health and the environment from uncontrolled hazardous substance sites. The bonds would run for a period of not longer than 5 years and would be backed by the full faith and credit of the State.

Proceeds from the sale of bonds would be used to identify and eliminate threats to public health and the environment from uncontrolled hazardous substance sites, such as public or private disposal areas into which materials which constitute health hazards have been placed. 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 \$3,000,000 bond issue for the investigation, abatement, clean up and mitigation of threats to public health and the environment from uncontrolled hazardous substance sites.

A “NO” vote disapproves the bond issue.

Total Estimated Debt Service of \$3,576,000 of which Principal is \$3,000,000, Estimated Interest at 6.40% over 5 years is \$576,000.

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## STATE OF MAINE

### CHAPTER 876

#### PUBLIC LAWS OF 1989

#### **An Act to Authorize a General Fund Bond Issue in the Amount of \$19,000,000 to Finance the Acquisition of Land for Public Purposes and Construction to Replace Churchill Dam**

**Preamble.** Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine to provide funds for the acquisition of land for conservation, outdoor recreation and wildlife.

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

#### PART A

**Sec. A-1. Authorization of bonds to provide for conservation, outdoor recreation, wildlife and construction to replace Churchill Dam.** 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 \$19,000,000 for the purpose of raising funds to acquire lands for conservation, farmland, including development rights, outdoor recreation and wildlife, capital expenditures for improved access to the acquired lands and for construction to replace the Churchill Dam 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 15 years from the date of the original issue of 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. A-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. A-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 him upon warrants drawn by the State Controller, are appropriated to be used solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in section 6 shall lapse to the debt service account established for the retirement of these bonds.

**Sec. A-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. A-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 Land for Maine's Future Board and the Department of Economic and Community Development, Office of Comprehensive Land Use Planning.

**Sec. A-6. Allocations from General Fund bond issue; conservation, outdoor recreation, wildlife and construction to replace Churchill Dam.** The proceeds of the sale of bonds shall be expended as follows.

**CONSERVATION, DEPARTMENT OF**

**Construction to Replace Churchill Dam**

All Other \$1,000,000

**DEPARTMENT OF CONSERVATION**

**TOTAL** \$1,000,000

**EXECUTIVE DEPARTMENT**

**Land for Maine's Future Board**

All Other \$8,500,000

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

**Land for Maine's Future Board**

All Other 1,000,000

Acquisitions of farmland or development rights to farmland to preserve the land for its natural, open space, ecological and aesthetic value.

**EXECUTIVE DEPARTMENT**

**TOTAL** \$9,500,000

**INLAND FISHERIES AND WILDLIFE,  
DEPARTMENT OF**

**Maine Inland Fisheries and Wildlife Fund**

All Other \$8,500,000

**DEPARTMENT INLAND FISHERIES  
AND WILDLIFE**

**TOTAL** \$8,500,000

**TOTAL ALLOCATIONS** \$19,000,000

**Sec. A-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. A-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. A-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. A-10. Referendum for ratification; submission at general election; form of question; effective date.** This Act shall be submitted to the legal voters of the State of Maine at the next general election in the month 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 general election, to vote on the acceptance or rejection of this Act by voting on the following question:

"Shall a bond issue for the purchase of public lands to provide access for Maine's people and for construction to replace Churchill Dam in the amount of \$19,000,000 be approved?"

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

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

**PART B**

**Sec. B-1. 5 MRS A §6207, sub-§2, ¶¶A and C,** as enacted by PL 1987, c. 506, §§1 and 4, are amended to read:

A. Contains recreation lands, prime physical features of the Maine landscape, areas of special scenic beauty, farmland or open space, undeveloped shorelines, wetlands, fragile mountain areas or lands with other conservation, *wilderness* or recreation values;

C. Provides *nonmotorized* or *motorized* public access to recreation opportunities or those natural resources identified in this section.

Sec. B-2. 7 MRSA §18 is enacted to read:

§18. Holding of real estate

The commissioner may accept, hold, administer and retain interests in real estate in order to further the purposes of this Title.

Approved April 20, 1990

**INTENT AND CONTENT**

This Act would authorize the State to issue registered bonds in an amount not to exceed \$19,000,000 to raise funds for the acquisition of land for public purposes and for construction to replace Churchill Dam on the Allagash River. The bonds would run for a period of not longer than 15 years from the date of issue and would be back by the full faith and credit of the State.

The proceeds of the sale of the bonds would be expended as follows: \$9,500,000 by the Land for Maine's Future Board for sites with outstanding recreational, scenic, natural or wildlife values (\$8,500,000) and for acquisitions of farmland or development rights to farmland to preserve the land for its natural, open space, ecological and aesthetic value (\$1,000,000); \$8,500,000 by the State Department of Inland Fisheries and Wildlife through the Maine Inland Fisheries and Wildlife Fund for land acquisition purposes; and \$1,000,000 by the State Department of Conservation for construction to replace Churchill Dam on the Allagash River.

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 \$19,000,000 bond issue for the acquisition of land for public purposes and construction to replace Churchill Dam.

A "NO" vote disapproves the bond issue.

Total Estimated Debt Service of \$29,640,000 of which Principal is \$19,000,000, Estimated Interest at 7.00% over 15 years is \$10,640,000.

**STATE OF MAINE**

**CHAPTER 133**

**PRIVATE & SPECIAL LAWS OF 1989**

**An Act Authorizing a General Fund Bond Issue in the Amount of \$20,250,000 for Construction, Planning, Purchasing 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, planning, purchasing and renovation of correctional facilities.

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

**Sec. 1. Authorization of bonds to provide for construction, planning, purchasing 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 \$20,250,000 for the purpose of raising funds to provide for construction, planning, purchasing and renovation of correctional facilities as authorized by section 6. The bonds shall be deemed a pledge of the full faith and credit of the State. The bonds shall not run for a longer period than 10 years from the date of the original issue of the bonds. Any issuance of bonds may contain a call feature at the discretion of the Treasurer of State with the approval of the Governor.

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

**Sec. 3. Sale; how negotiated; proceeds appropriated.** The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no 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 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**

100 maximum-security beds in South Warren for interim mental health and receiving needs and for general population	\$14,250,000
50-bed pre-release center in Cumberland County or York County	1,400,000
2 community-based diversion and restitution centers in Androscoggin County and Penobscot County	2,800,000
50-bed minimum-security housing unit and improvements to sewerage treatment facilities at the Downeast Correctional Center	1,500,000
Establishment of a women's pre-release unit in Hallowell	50,000

Feasibility studies for future operations, additions and establishment of new resources regarding the Maine Youth Center; for establishing a multipurpose correctional facility with reception, diagnostic, mental health, medical and geriatric services; and for possible future uses for the Maine State Prison 250,000

**DEPARTMENT OF CORRECTIONS**

**TOTAL** \$20,250,000

**Sec. 7. Elimination of "East Wing Annex."** The area of the Maine State Prison presently designated as the "East Wing Annex" may not be used as a residential area unless it is renovated to meet American Correctional Association standards. This provision is effective immediately upon the occupation of any portion of the proposed maximum-security facility in South Warren.

**Sec. 8. Transfer between items.** The amounts listed after the items in section 6 of this Act 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 of an amount not exceeding 10% of the aggregate.

**Sec. 9. 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. 10. 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. 11. 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. 12. Referendum for ratification; submission at general election; form of question; effective date.** This Act shall be submitted to the legal voters of the State of Maine at the next general election in the month 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 general 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 \$20,250,000 to build, purchase, plan and renovate correctional facilities and to study future operation needs?"

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

Legislature. The Governor shall review the returns and, if it appears that a majority of the legal 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 April 20, 1990

**INTENT AND CONTENT**

This Act would authorize the State to issue registered bonds in an amount not to exceed \$20,250,000 for the construction, planning, purchasing and renovation of correctional 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.

Proceeds from the sale of the bonds would be used to constitute a 100 maximum-security correctional facility at South Warren (\$14,250,000); 2 community-based diversion and restitution centers in Androscoggin and Penobscot Counties \$2,800,000; a 50-bed minimum-security housing unit and improvements to sewerage treatment facilities at the Downeast Correctional Center in Machiasport (\$1,500,000); a 50-bed pre-release center in Cumberland or York Counties (\$1,400,000); and a women's pre-release unit in Hallowell (\$50,000), as well as to plan for the future use of existing or new correctional facilities (\$250,000). The Act would also prohibit the use of the "East Wing Annex" of the Maine State Prison for residential purposes upon occupancy of the proposed South Warren facility, unless the Annex is renovated to meet American Correctional Association standards. The proceeds of the sale of the bonds would be expended under the direction of the State Director of Public Improvements in consultation with the Commissioner of Corrections, who are authorized, with the approval of the Governor, to transfer from one of the authorized projects to another an amount not exceeding \$2,025,000.

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 \$20,250,000 bond issue for the construction, planning, purchasing and renovation of correctional facilities.

A "NO" vote disapproves the bond issue.

Total Estimated Debt Service of \$27,712,125 of which Principal is \$20,250,000, Estimated Interest at 6.70% over 10 years is \$7,462,125.

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**STATE OF MAINE**

**CHAPTER 130**

**PRIVATE & SPECIAL LAWS OF 1989**

**An Act to Authorize a General Fund Bond Issue in the Amount of \$9,000,000 for Construction of Water Pollution Control 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 water pollution control construction.

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

**Sec. 1. Authorization of bonds to provide for water pollution control 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 \$9,000,000 for water pollution control construction authorized by section 6. The bonds shall be deemed a pledge of the full faith and credit of the State. The bonds shall not run for a longer period than 10 years from the date of the original issue of the bonds. Any issuance of bonds may contain a call feature at the discretion of the Treasurer of State with the approval of the Governor.

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

**Sec. 3. Sale; how negotiated; proceeds appropriated.** The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no 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 project in section 6 shall lapse to the debt service account established for the retirement of these bonds.

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

**Sec. 5. Disbursement of bond proceeds.** The proceeds of the bonds set out in section 6 shall be expended under the direction and supervision of the Department of Environmental Protection to provide funds for water pollution control construction.

**Sec. 6. Allocations from General Fund bond issue; costs of capital construction for water pollution control construction.** The proceeds of the sale of bonds shall be expended as follows.

State Revolving Loan Fund	\$3,600,000
Small Community Program	500,000
Overboard Discharge	500,000
Combined Sewer Overflow	2,400,000
Other Water Pollution Control Facilities	2,000,000
<b>TOTAL ALLOCATION</b>	<b>\$9,000,000</b>

**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. Referendum for ratification; submission at general election; form of question; effective date.** This Act shall be submitted to the legal voters of the State of Maine at the next general election in the month 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 general election, to vote on the acceptance or rejection of this Act by voting on the following question:

“Do you favor a \$9,000,000 bond issue for construction of water pollution control facilities?”

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

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

Approved April 20, 1990

#### INTENT AND CONTENT

This Act would authorize the State to issue registered bonds in an amount not to exceed \$9,000,000 to raise funds for the construction of water pollution control facilities. The bonds would run for a period of not longer than 10 years 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 water pollution control facilities. The proceeds would be expended under the direction of the State Department of Environmental Protection.

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

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

A “YES” vote approves the authorization of a \$9,000,000 bond issue for the construction of water pollution control facilities.

A “NO” vote disapproves the bond issue.

Total Estimated Debt Service of \$12,316,500 of which Principal is \$9,000,000, Estimated Interest at 6.70% over 10 years is \$3,316,500.

STATE OF MAINE

CHAPTER 129

PRIVATE & SPECIAL LAWS OF 1989

**An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 for the Restoration and Preservation of Historic Buildings and Improvements at State Park 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 the restoration and preservation of historic buildings and for the preservation of state-owned historic sites.

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

**Sec. 1. Authorization of bonds to provide for the restoration and preservation of historic buildings and improvements at state park 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 the restoration and preservation of historic buildings and for the improvements at existing state park facilities needed to protect the public health and safety and to provide for access for person with disabilities 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 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 project in section 6 shall lapse to the debt service account established for the retirement of these bonds.

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

**Sec. 5. Disbursement of bond proceeds.** The proceeds of the bonds set out in section 6 shall be expended under the direction and supervision of the Director of the Maine Historic Preservation Commission and the Director of the Bureau of Parks and Recreation.

**Sec. 6. Allocations from General Fund bond issue; restoration and preservation of historic buildings and improvements at state park facilities.** The proceeds of the sale of bonds shall be expended as follows.

**HISTORIC PRESERVATION COMMISSION**

To pay for improvements associated with the restoration and preservation of historic buildings.	\$1,500,000
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**DEPARTMENT OF CONSERVATION**

To pay for improvements to facilities under the care of the Bureau of Parks and Recreation.	\$3,500,000
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Total General Fund Bonds	<u>\$5,000,000</u>
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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. Referendum for ratification; submission at general election; form of question; effective date.** This Act shall be submitted to the legal voters of the State of Maine at the next general election in the month 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 general election, to vote on the acceptance or rejection of this Act by voting on the following question:

“Do you favor a \$5,000,000 bond issue for the restoration and preservation of historic buildings open to the public and needed improvements at state parks and historic sites needed to protect the public health and safety and to provide access for persons with disabilities?”

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 April 20, 1990

### INTENT AND CONTENT

This Act would authorize the State to issue registered bonds in an amount not to exceed \$5,000,000 to raise funds for the restoration and preservation of historic buildings and for improvements at State park facilities. The bonds would run for a period of not longer than 5 years from the date of issue and would be backed by the full faith and credit of the State.

The proceeds of the sale of the bonds would be expended as follows: \$1,500,000 by the State Historic Preservation Commission for the restoration and preservation of historic buildings which are open to the public; and \$3,500,000 by the State Department of Conservation for the improvement of the public health and safety at facilities under the care of the Bureau of Parks and Recreation, including provision for access for disabled persons at these facilities.

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 is published together with this statement.

A "YES" vote approves the authorization of a \$5,000,000 bond issue for the restoration and preservation of historic buildings and for improvements at State park facilities.

A "NO" vote disapproves the bond issue.

Total Estimated Debt Service of \$5,960,000 of which Principal is \$5,000,000, Estimated Interest at 6.40% over 5 years is \$960,000.

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## CHAPTER 2

### CONSTITUTIONAL RESOLUTIONS 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 \$15,000,000 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 in this section.

; and be it further

**Constitutional referendum procedure; form of question; effective date. Resolved:** That the city aldermen, town selectmen and planta-

tion 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 general election, at the next general election in the month of November following 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 payment of mortgage loans for the purpose of encouraging the acquisition, construction, repair or remodeling of housing for Maine citizens?"

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

; 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 Maine.

April 13, 1990

### INTENT AND CONTENT

In order to encourage the availability of affordable housing in the State, the proposed amendment would authorize the Legislature to insure the payment of mortgage loans by Maine citizens in amounts not to exceed \$15,000,000 in the aggregate at any one time, and to appropriate funds and authorize the issuance of bonds on behalf of the State to make such payments as are required by the insurance guarantees. By amending the Constitution, this provision would make it unnecessary for the voters of the State to specially approve either the issuance of the insurance guarantees or the issuance of bonds to cover those guarantees, 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.