

MAINE STATE LEGISLATURE

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ELECTIONS - 1991 (NOV)

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

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AUGUSTA, MAINE

In Accordance with an Initiated Bill,
Acts and Resolutions
Passed by the 115th Legislature at
First Regular Session and
First Special Session



To be voted upon at the
Referendum Election,
Tuesday, November 5, 1991.

G. William Diamond
Secretary of State



State of Maine
Office of
Secretary of State
Augusta, Maine 04333-0148

Bill Diamond
Secretary of State

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 5, 1991.

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,

Bill Diamond
Secretary of State

LISTING OF INITIATIVE, BOND ISSUES AND CONSTITUTIONAL AMENDMENT to be Voted on November 5, 1991

Initiative Question

1. Do you favor the changes in Maine Law concerning deauthorizing the widening of the Maine turnpike and establishing transportation policy proposed by citizen petition?

Bond Issues

2. "Do you favor a \$5,500,000 bond issue for construction, purchasing and renovation of correctional facilities?"
3. "Do you favor a \$16,500,000 bond issue to help municipalities and water districts with the costs of capital construction to protect public water supplies and to provide funds for the constructions of water pollution control facilities?"
4. "Do you favor a \$7,500,000 bond issue for use in providing financing assistance to Maine's natural resource and other industries for job retention and job creation?"
5. "Do you favor a \$5,000,000 bond issue for the purchase of outstanding recreational and scenic lands, wildlife habitat conservation and increasing public access for Maine's people?"
6. "Do you favor a \$10,000,000 bond issue to fund grants and loans to municipalities and regional associations for purchasing recycling equipment and facilities and for cleaning up and closing solid waste landfills that pose a hazard to public health and to ground water quality?"
7. "Do you favor a \$5,000,000 bond issue for major renovations and improvements at state parks and for the preservation of historic buildings open to the public?"
8. "Do you favor a \$29,700,000 bond issue for improvements to highways, state and local bridges, airports, state ferry vessels and harbors, which makes the State eligible for up to \$103,000,000 in matching federal funds?"

Constitutional Amendment

9. "Shall the Constitution of Maine be amended to provide that funds appropriated to the Maine State Retirement System become assets of the system and may not be diverted to another purpose?"

LD 719

STATE OF MAINE

Referendum Election, November 5, 1991

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, 1991.

Bonds Outstanding and Unpaid to Mature Through 2008	\$395,420,000
Interest to be Repaid on Bonds Issued	137,020,636
Total to be Repaid on Bonds Issued	<u>\$532,440,636</u>
Additional Bonds Authorized But Not Yet Issued	\$106,205,600
Limit of Contingent Bonds Liability Authorized by Constitution and Laws But Unissued	101,094,293
Total Bonds Authorized But Unissued	<u>\$207,299,893</u>
Total Additional Bonds to be Authorized if Ratified by Voters	\$79,200,000
Potential New Estimate of Interest	\$41,380,300

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 \$41,380,300 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 \$120,580,300. The amount that must be paid in the present fiscal year (July 1, 1991 to June 30, 1992) for debt already outstanding is \$47,155,000 in principal and \$22,073,629 in interest, a total of \$69,228,629.

Samuel Shapiro
Treasurer of State

STATE OF MAINE

To the 115th 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 Deauthorize the Widening of the Maine Turnpike and to Create a Sensible Transportation Policy.** The full text of said Act is printed on this petition.

Do you favor the changes in Maine Law concerning **deauthorizing the widening of the Maine turnpike and establishing transportation policy** proposed by citizen petition?

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

Sec. 1.23 MRSA §73 is enacted to read:

§73. Transportation policy

1. Short title. This section may be known and cited as the "Sensible Transportation Policy Act."

2. Purposes and findings. The people of the State find that decisions regarding the State's transportation network are vital to the well-being of Maine citizens, to the economic health of the State and to the quality of life that the citizens treasure and seek to protect.

The people also find that these decisions have profound, long-lasting and sometimes detrimental impacts on the natural resources of the State, including its air quality, land and water.

The people further find that substantial portions of the state highway system are in disrepair and improvements to the State's roads and bridges are necessary to provide a safe, efficient, and adequate transportation network throughout the State.

The people further find that the State's transportation network is heavily dependent on foreign oil, that such reliance is detrimental to the health of the State's economy and that the health and long-term stability of the State's economy require increased reliance on more efficient forms of transportation.

The people further find that improvements to the transportation network are necessary to meet the diverse transportation needs of the people of the State including rural and urban populations and the unique mobility requirements of the elderly and disabled.

The people further find that the decisions of state agencies regarding transportation needs and facilities are often made in isolation, without sufficient comprehensive planning and opportunity for meaningful public input and guidance.

3. Transportation policy. It is the policy of the State that transportation planning decisions, capital investment decisions and project decisions must:

A. Minimize the harmful effects of transportation on public health and on air and water quality, land use and other natural resources;

B. Require that the full range of reasonable transportation alternatives be evaluated for all significant highway construction or reconstruction projects and give preference to transportation system management options, demand management strategies, improvements to the existing system, and other transportation modes before increasing highway capacity through road building activities;

C. Ensure the repair and necessary improvement of roads and bridges throughout the State to provide a safe, efficient and adequate transportation network;

D. Reduce the State's reliance on foreign oil and promote reliance on energy-efficient forms of transportation;

E. Meet the diverse transportation needs of the people of the State, including rural and urban populations and the unique mobility needs of the elderly and disabled;

F. Be consistent with the purposes, goals and policies of the Comprehensive Planning and Land Use Regulation Act; and

G. Incorporate a public participation process in which local governmental bodies and the public have timely notice and opportunity to identify and comment on concerns related to transportation planning decisions, capital investment decisions and project decisions. The department and the Maine Turnpike Authority shall take the comments and concerns of local citizens into account and shall be responsive to them.

4. Rulemaking. The Department of Transportation shall adopt a rule within one year of the effective date of this Act, in coordination with the Maine Turnpike Authority and state agencies including the Department of Economic and Community Development, the State Planning Office and the Department of Environmental Protection, to implement the statewide comprehensive transportation policy. The rule must incorporate a public participation process that provides municipalities and other political subdivisions of the State and members of the public notice and opportunity to comment on transportation planning decisions, capital investment decisions, project decisions and compliance with the statewide transportation policy.

5. Applicability to Department of Transportation. Transportation planning decisions, capital investment decisions and project decisions of the Department of Transportation are governed by and must comply with the transportation policy set forth in this section and rules implementing that policy.

Sec. 2.23 MRSA §1961, sub-§2, as enacted by PL 1987, c. 793, Pt. A, §6, is amended to read:

2. Cooperation with the Department of Transportation. The Department of Transportation shall must be provided each year a maximum amount of \$8,700,000 of the total annual operating surplus revenue after money has been put aside to pay operating expenses and to meet the requirements of any resolution authorizing bonds of the Maine Turnpike Authority. Any funds received by the department under this provision in excess of \$4,700,000 shall be expended for highway and bridge improvements within counties which contain turnpike mileage. These amounts are deemed considered necessary for use by the department for construction, reconstruction, operation and maintenance of access all roads on the state highway system, which serve and benefit users of the turnpike by providing direct and indirect access to and from the turnpike as part of the integrated highway system. Due to the utilization of the state highway system by users of the turnpike, the turnpike and its users have received and will continue to receive a benefit from, or have caused and will continue to cause, or both, the State acting by and through the Department of Transportation to incur costs for the construction, operation and maintenance of the state highway system, which provides direct and indirect access to and from the turnpike to areas in the State for which the State may properly be and should be compensated from the tolls to be collected. The Maine Turnpike Authority should be maintained to carry out the purposes of this chapter in cooperation with the Department of Transportation.

Sec. 3.23 MRSA §1961, sub-§§5 and 6 are enacted to read:

5. Transportation policy. Transportation planning decisions, capital investment decisions and project decisions of the Maine Turnpike Authority are governed by and must comply with the transportation policy set forth in section 73 and rules implementing that policy.

6. Appropriation. On or before December 1st, annually, the authority shall present to the Legislature for its approval the operating budget of the authority and the revenues necessary to meet the requirements of any resolution authorizing bonds of the authority. The authority may only make expenditures in accordance with allocations approved by the Legislature. The operating surplus must be transferred to the Department of Transportation and expended in accordance with allocations approved by the Legislature.

Sec. 4. 23 MRSA §1964, sub-§6-A is enacted to read:

6-A. Operating surplus. "Operating surplus" means the total annual operating revenues of the Maine Turnpike Authority, after money has been put aside to pay the reasonable operating expenses and to meet the requirements of any resolution authorizing bonds of the Maine Turnpike Authority.

Sec. 5. 23 MRSA §1965, sub-§1, ¶D, as amended by PL 1987, c. 457, §2, is further amended to read:

D. Construct, maintain, reconstruct and operate a toll turnpike from a point at or near York in York County to a point at or near Augusta in Kennebec County, except that the traveled way shall may not be widened or expanded beyond 3 lanes for each direction of travel from Exit 1 to and including Exit 6A and beyond 2 lanes for each direction of travel elsewhere on the turnpike without the express approval of the Legislature; A license, permit, or approval necessary for the widening or expansion of the turnpike may not be issued by any state agency unless that agency makes an affirmative finding that the widening or expansion is consistent with state transportation policy as well as rules implementing that policy;

Sec. 6.23 MRSA §1965, sub-§1, ¶O, as repealed and replaced by PL 1987, c. 793, Pt. A, ¶7, is repealed.

Sec. 7.23 MRSA §1968, sub-§1, as amended by PL 1987, c. 457, §5, is further amended to read:

1. General. The authority is authorized to provide by resolution from time to time for the issuance of turnpike revenue bonds, including notes or other evidences of indebtedness or obligations defined to be bonds under this chapter, but not exceeding \$20,000,000 in the principal amount at any one time outstanding exclusive of refundings, for the purpose of paying the cost of constructing, reconstructing or making extraordinary repairs to the turnpike and the location thereof, for the purpose of repaying grants or loans from the Federal Government the proceeds of which were used to construct or reconstruct the turnpike or portions thereof of the turnpike or access roads or portions thereof of the access roads, but only to the extent repayment is required in order for the authority to continue to collect tolls on the turnpike and, with the approval of the Department of Transportation, for the purpose of paying the cost, or a portion of the cost, of construction or reconstruction of interchanges, or portions thereof of interchanges. In addition to bonds from time to time outstanding pursuant to this subsection, the authority is authorized to provide by resolution for the issuance, from time to time, of turnpike revenue bonds, including notes or other evidences of indebtedness or obligations defined to be

bonds under this chapter, not exceeding \$66,000,000 in the principal amount, exclusive of refundings, ~~to pay the cost, or a portion of the cost, of widening and expansion of the turnpike from 2 lanes of travel in each direction to 3 lanes of travel in each direction to the extent permitted in section 1965, subsection 1, paragraph D, and to pay the cost or a portion of the cost of construction of interchanges or improvements to interchanges which that~~ are determined by the Department of Transportation and the authority to have a sufficient relationship to the public's use of the turnpike and the orderly regulation and flow of traffic on the turnpike in accordance with the requirements of section 1974, subsection 3. The bonds of the authority ~~shall do not constitute a debt of the State or of any agency or political subdivision thereof, but shall be~~ are payable solely from the operating revenues of the turnpike. Notwithstanding any provision of any law, any bonds issued pursuant to this chapter ~~shall be~~ are fully negotiable. ~~In case~~ If any of the members or officers of the authority whose signatures appear on the bonds or coupons, if any, ~~shall cease to be members or officers before the delivery of the bonds, the signature shall is, nevertheless, be valid and sufficient for all purposes the same as if the members or officers had remained in office until that delivery.~~

Whether or not the bonds are of such form and character as to be negotiable instruments under the Uniform Commercial Code, Title 11, Article 8, the bonds ~~shall be and~~ are hereby made negotiable instruments within the meaning of and for all the purposes of the Uniform Commercial Code, Title 11, Article 8, subject only to the provisions of the bonds for registration.

It is the intention of this chapter that any pledge made by the authority in respect of the bonds or notes ~~shall be is~~ valid and binding from the time when the pledge is made; that the ~~moneys funds~~ or property so pledged and thereafter received by the authority ~~shall is~~ immediately be subject to the lien of ~~such that~~ such that pledge without any physical delivery thereof of that lien or further act; and that the lien of ~~any such a~~ any such a pledge ~~shall be is~~ valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the authority irrespective of whether those parties have notice thereof of that lien. Neither the resolution, trust indenture nor any other instrument by which a pledge is created need be recorded.

Sec. 8. 23 MRSA §1974, sub-§4, as amended by PL 1987, c. 793, Pt. A, §8, is repealed.

Sec. 9.23 MRSA §1977, as enacted by PL 1981, c. 595, §3, is amended to read:

§1977. Trust funds

Subject to any agreement with the bondholders, all revenue received from the operation of the turnpike after deducting expenditures required for the construction, reconstruction, operation and maintenance of the turnpike and for the payment of the principal and the interest on the bonds of the authority or otherwise in accordance with the provisions thereof, ~~shall and after deducting the operating surplus provided to the Department of Transportation, must be held and invested by the authority to establish trust funds for reserve and sinking funds for the retirement of bonded indebtedness.~~

Sec. 10. Revenues accrued. All revenues accrued as of the effective date of this Act, excluding operating expenses and those revenues necessary to meet the requirements of any resolution authorizing bonds of the Maine Turnpike Authority, must be provided to the Department of Transportation and must be used for the same purposes as the operating surplus of the authority.

STATEMENT OF FACT

Decisions affecting the State's transportation network involve public policy choices that directly affect the well-being of Maine people, the State's economic vitality and the quality of life that the citizens treasure and seek to protect. These decisions have had profound, long-lasting and sometimes detrimental impacts on the public health and natural resources of the State, including its air quality, land and water. Substantial portions of the highway system are in disrepair and improvements to certain of the State's roads and bridges are needed to provide an adequate transportation network throughout the State.

The State's transportation network is heavily dependent on foreign oil and the health and long-term stability of Maine's economy require increased reliance on more efficient forms of transportation. Additionally, Maine has diverse transportation needs arising from a unique mix of rural and urban populations and the special mobility requirements of the elderly and disabled that must be incorporated into transportation planning. Finally, decisions of state agencies regarding transportation needs and facilities are often made in isolation, without sufficient comprehensive planning and opportunity for meaningful public input and guidance.

This initiative has 3 major sections designed to ensure that transportation decisions and the substantial commitments of public funds resulting from them are made in the context of a comprehensive, statewide transportation policy that addresses the concerns listed above.

First, the initiative establishes a statewide transportation policy that:

1. Requires evaluation of the full range of alternatives to highway construction or reconstruction and gives preference to non-construction alternatives, such as traffic management and public transit systems, to meet transportation needs;
2. Minimizes public health and environmental impacts of transportation decisions;
3. Establishes a public participation process for municipal and citizen involvement in transportation planning and decisions;
4. Promotes use of energy-efficient forms of transportation and discourages transportation modes reliant on foreign oil;
5. Integrates land use planning decisions with transportation planning decisions; and
6. Ensures that the State's transportation network meets the diverse needs of rural and urban populations, as well as the mobility requirements of the elderly and the disabled.

The Department of Transportation is to establish rules to implement this policy in conjunction with the Maine Turnpike Authority and other relevant state agencies. Department of Transportation and Maine Turnpike Authority transportation decisions must comply with this policy.

Second, the initiative deauthorizes the widening of the Maine Turnpike from Exit 1 to Exit 6-A and requires that any future proposals to widen the turnpike comply with the transportation policy. The initiative does not alter the existing requirement that the Legislature approve future turnpike widening proposals.

Third, the initiative requires the transfer of surplus money collected by the Maine Turnpike Authority to the Department of Transportation. Once transferred to the Department of Transportation, this money is available for road and bridge projects throughout the State that are consistent with the statewide transportation policy. Under the initiative, the Legislature must approve the Maine Turnpike Authority's budget and expenditures.

STATE OF MAINE

PROCLAMATION

WHEREAS, written petitions bearing the signatures of 73,552 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 Fifteenth Legislature in First Regular Session, requesting that the Legislature consider an act entitled "An Act to Deauthorize the Widening of the Maine Turnpike and to Create a Sensible Transportation Policy;" and

WHEREAS, the initiated act, known as Legislative Document 719, was referred to the Joint Standing Committee on Transportation, which held a public hearing on May 7, 1991; and

WHEREAS, on May 16, 1991 the Maine House of Representatives accepted the Unanimous Ought Not to Pass Report and on May 20, 1991, 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 5, 1991 so that "An Act to Deauthorize the Widening of the Maine Turnpike and to Create a Sensible Transportation Policy" 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 twenty-third day of July in the year of our Lord One Thousand Nine Hundred and Ninety-One.

JOHN R. MCKERNAN, Jr.
GOVERNOR

By the Governor:
G. WILLIAM DIAMOND
Secretary of State

Do you favor the changes in Maine law concerning deauthorizing the widening of the Maine turnpike and establishing transportation policy proposed by citizen petition?

INTENT AND CONTENT

This initiated legislation would change existing Maine law in the following respects:

1. The proposed legislation would require the Maine Department of Transportation to adopt, by approximately the end of 1992, a statewide comprehensive transportation policy, which would thereafter govern, as a matter of law, all transportation planning, capital investment and project decisions of the Department and the Maine Turnpike Authority. The policy is required by the proposed legislation to establish a balance among various economic, social and environmental goals.
2. The proposed legislation would repeal existing statutory authority to widen the Maine Turnpike from 2 to 3 lanes between Exit 1 and Exit 6-A, but leaves in place the requirement that any further expansion must be approved by the Legislature.
3. The proposed legislation would require legislative approval of the annual operating budget of the Maine Turnpike Authority, and would direct that the Authority's annual operating surplus be transferred to the Department of Transportation for use for road and bridge projects throughout the State. Current law does not require that the Authority's budget be approved, and provides that no more than \$8,700,000 of its surplus be transferred to the Department of Transportation.

A "YES" vote approves the initiated legislation.

A "NO" vote disapproves the initiated legislation.

STATE OF MAINE

CHAPTER 48

PRIVATE & SPECIAL LAWS OF 1991

An Act to Authorize a General Fund Bond Issue in the Amount of \$5,500,000 for Construction, 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, 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, purchasing and renovation of correctional facilities. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and behalf of the State in an amount not exceeding \$5,500,000 to raise funds for construction, purchasing and renovation of correctional facilities as authorized by section 6. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for

a period longer than 5 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature.

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. The Treasurer of State 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 bond, 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 must be held by the Treasurer of State and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in section 6 lapse to the debt service account established for the retirement of these bonds.

Sec. 4. Interest and debt retirement. The Treasurer of State shall pay interest due or accruing on any bonds issued under this Act and all sums coming due for payment of bonds at maturity.

Sec. 5. Disbursement of bond proceeds. The proceeds of the bonds must be expended as set out in section 6 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 must be expended as designated in the following schedule.

CORRECTIONS, DEPARTMENT OF

One 50-bed pre-release center in Cumberland County or York County	\$1,550,000
One community-based diversion and restitution center in Androscoggin County or Penobscot County	1,550,000
One 50-bed minimum security housing unit at the Downeast Correctional Center	1,350,000
Reconstruction and renovations at the Maine State Prison at Thomaston	1,000,000
Establishment of a women's unit in Hallowell	50,000

DEPARTMENT OF CORRECTIONS

TOTAL	\$5,500,000
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Sec. 7. Contingent upon ratification of bond issue. Sections 1 to 6 do not become effective unless 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 carry forward. Bond proceeds that have not been expended within 10 years after the date of the sale of the bonds 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 are not issued within 5 years of ratification of this Act, are deauthorized and may not be issued; except 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 must be submitted to the legal voters of the State of Maine at a statewide election held on the Tuesday following the first Monday of November following passage of this Act. The municipal officers 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 \$5,500,000 bond issue for construction, purchasing and renovation of correctional facilities?”

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word “Yes” or “No.” The ballots must 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 a majority of the legal votes are cast in favor of the Act, the Governor shall proclaim the result without delay, and the Act becomes 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 5, 1991

INTENT AND CONTENT

This Act would authorize the State to issue bonds in an amount not to exceed \$5,500,000 for the construction, purchasing and renovation of correctional 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 a 50-bed prerelease center in Cumberland or York County (\$1,550,000); a community-based diversion and restitution center in Androscoggin or Penobscot County (\$1,550,000); a 50-bed minimum security housing unit at the Downeast Correctional Center in Machiasport (\$1,350,000); as well as for reconstruction and renovations at the Maine State Prison in Thomaston (\$1,000,000) and the establishment of a women’s unit in Hallowell (\$50,000). The proceeds of the sale of the bonds would be expended under the direction and supervision of the State Director of Public Improvements in consultation with the Commissioner 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 a \$5,500,000 bond issue for the construction, purchasing and renovation of correctional facilities.

A “NO” vote disapproves the bond issue.

Total Estimated Debt Service of \$6,424,000 of which Principal is \$5,500,000, Estimated Interest at 5.60% over 5 years is \$924,000.

STATE OF MAINE

CHAPTER 47

PRIVATE & SPECIAL LAWS OF 1991

An Act to Authorize a General Fund Bond Issue in the Amount of \$16,500,000 for Capital Construction to Protect Public Water Supplies and Capital 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 to help municipalities and water districts with the costs of capital construction to protect public water supplies and to provide funds for construction of water pollution control facilities.

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

Sec. 1. Authorization of bonds to provide for costs of capital construction to protect public water supplies and capital construction of water pollution control facilities. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and behalf of the State in an amount not exceeding \$16,500,000 to raise funds for municipalities and water districts to help with the costs of capital construction to protect public water supplies and to raise funds for water pollution control facilities as authorized by section 6. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 15 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature.

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. The Treasurer of State 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 bond, 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 must be held by the Treasurer of State and paid by the Treasurer upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in section 6 lapse to the debt service account established for the retirement of these bonds.

Sec. 4. Interest and debt retirement. The Treasurer of State shall pay interest due or accruing on any bonds issued under this Act and all sums coming due for payment of bonds at maturity.

Sec. 5. Disbursement of bond proceeds. The proceeds of the bonds must be expended as set out in section 6 under the direction and supervision of the Maine Municipal Bond Bank for the Safe Drinking Water Revolving Loan Fund and the Department of Environmental Protection for construction of water pollution control facilities.

Sec. 6. Allocations from General Fund bond issue; costs of capital construction to protect public water supplies and for water pollution control facilities. The proceeds of the sale of bonds must be expended as follows.

DEPARTMENT OF ENVIRONMENTAL PROTECTION	1991-92
	\$13,800,000

These funds will be used for the construction of water pollution control facilities.

MAINE MUNICIPAL BOND BANK

Safe Drinking Water Revolving Loan Fund	2,700,000
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These funds will be used to help municipalities and water districts with the costs of capital construction to meet the requirements of the federal Safe Drinking Water Act and amendments and related expenses.

TOTAL ALLOCATIONS	\$16,500,000
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Sec. 7. Contingent upon ratification of bond issue. Sections 1 to 6 do not become effective unless 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 carry forward. Bond proceeds that have not been expended within 10 years after the date of the sale of the bonds 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 are not issued within 5 years of ratification of this Act, are deauthorized and may not be issued; except 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 must be submitted to the legal voters of the State of Maine at a statewide election held on the Tuesday following the first Monday of November following passage of this Act. The municipal officers 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 \$16,500,000 bond issue to help municipalities and water districts with the costs of capital construction to protect public water supplies and to provide funds for the constructions of water pollution control facilities?”

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word “Yes” or “No.” The ballots must 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 a majority of the legal votes are cast in favor of the Act, the Governor shall proclaim the result without delay, and the Act becomes 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 6, 1991

INTENT AND CONTENT

This Act would authorize the State to issue bonds in an amount not to exceed \$16,500,000 to raise funds for construction to protect public water supplies and for construction of water pollution control facilities. The bonds would run for a period of not longer than 15 years and would be backed by the full faith and credit of the State.

Proceeds from the sale of the bonds would be expended to construct water pollution control facilities under the direction of the State Department of Environmental Protection (\$13,800,000) and to help municipalities and water districts with the construction costs and related expenses of complying with the requirements of the federal Safe Drinking Water Act under the direction of the Maine Municipal Bond Bank (\$2,700,000).

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 \$16,500,000 bond issue for construction to protect public water supplies and for construction of water pollution control facilities.

A “NO” vote disapproves the bond issue.

Total Estimated Debt Service of \$25,278,000 of which Principal is \$16,500,000, Estimated Interest at 6.65% over 15 years is \$8,778,000.

STATE OF MAINE

CHAPTER 57

PRIVATE & SPECIAL LAWS OF 1991

An Act to Authorize a General Fund Bond Issue in the Amount of \$7,500,000 to Provide for the Maine Street Investment Program

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

Sec. 1. Authorization of bonds to provide for the Maine Street

Investment Program. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and behalf of the State in an amount not exceeding \$7,500,000 to raise funds for downtown and business district revitalization as authorized by section 6. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 20 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature. The bonds must be issued from time to time so as to meet the needs of the Maine Street Investment Program, the Natural Resources Capital Investment Fund and the Economic Opportunity Fund. The bonds, when paid at maturity or otherwise retired, may not be reissued, but may be refunded on terms more favorable to the State than those in the original issue.

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. The Treasurer of State 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 bond, 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 must be held by the Treasurer of State and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Act.

Sec. 4. Interest and debt retirement. The Treasurer of State shall pay interest due or accruing on any bonds issued under this Act and all sums coming due for payment of bonds at maturity.

Sec. 5. Disbursement of bonds proceeds. The proceeds of the bonds must be expended as set out in section 6 under the direction and supervision of the Finance Authority of Maine.

Sec. 6. Allocations from General Fund bond issue; downtown and business district revitalization. The proceeds of the sale of bonds must be expended as designated in the following schedule.

FINANCE AUTHORITY OF MAINE

Maine Street Investment Program	\$3,000,000
Provides funds for the capitalization of the Maine Street Investment Program. The program may provide loans to businesses for investments in downtown and business districts. The fund and the program are administered by the Finance Authority of Maine.	

Natural Resources Capital Investment Fund	\$1,500,000
Provides funds for job retention and job creation in Maine's natural resource and other industries.	

FINANCE AUTHORITY OF MAINE	
TOTAL	\$4,500,000

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Economic Opportunity Fund	\$3,000,000
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DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT	
TOTAL	\$3,000,000

TOTAL ALLOCATIONS	\$7,500,000
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Sec. 7. Contingent upon ratification of bond issue. Sections 1 to 6 do not become effective unless 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 carry forward. Bond proceeds that have not been expended within 10 years after the date of the sale of the bonds lapse to General Fund debt service.

Sec. 9. Taxable bond option. The Treasurer of State, at the direction of the Governor, may covenant and consent that the interest on some or all of the bonds is 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 and 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 may not be subject to any limitations or restrictions of any law that may limit the power to so covenant and consent.

Sec. 10. Bonds authorized but not issued. Any bonds authorized but not issued, or for which bond anticipation notes are not issued within 5 years of ratification of this Act, are deauthorized and may not be issued; except 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 must be submitted to the legal voters of the State of Maine at a statewide election held on the Tuesday following the first Monday of November following passage of this Act. The municipal officers 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 \$7,500,000 bond issue for use in providing financing assistance to Maine's natural resource and other industries for job retention and job creation?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must 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 a majority of the legal votes are cast in favor of the Act, the Governor shall proclaim the result without delay, and the Act becomes 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, 1991

INTENT AND CONTENT

This Act would authorize the State to issue bonds in an amount not to exceed \$7,500,000 to raise funds for downtown and business district revitalization. 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 sale of the bonds would be expended by the Finance Authority of Maine to capitalize the Maine Street Investment Program to provide loans to businesses for investment in downtown and business districts (\$3,000,000) and to provide further financing for the Natural Resources Capital Investment Fund, which provides loans to businesses engaged in commercial natural resource enterprises (\$1,500,000). The proceeds will also be expended by the Department of Economic and Community Development to provide additional financing for the Economic Opportunity Fund (\$3,000,000).

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 authorization of a \$7,500,000 bond issue for downtown and business district revitalization.

A "NO" vote disapproves the bond issue.

Total Estimated Debt Service of \$12,855,000 of which Principal is \$7,500,000, Estimated Interest at 6.80% over 20 years is \$5,355,000.

STATE OF MAINE

CHAPTER 44

PRIVATE & SPECIAL LAWS OF 1991

An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 for the Land for Maine's Future Program to Finance the Acquisition of Land for Conservation, Outdoor Recreation, Habitat Conservation and Public Access

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, habitat conservation and public access.

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

Sec. 1. Authorization of bonds to provide for conservation, outdoor recreation, habitat conservation and public access. The Treasurer of State is authorized, under the direction of the Governor, to issue

bonds in the name and behalf of the State in an amount not exceeding \$5,000,000 to raise funds for the acquisition of lands for conservation, farmland including development rights, outdoor recreation, habitat conservation, public access and capital expenditures for improved access to the acquired lands as authorized by section 6. Any unused balance may be added to the Land for Maine's Future Fund in the ensuing year. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 5 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature.

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. The Treasurer of State, 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 bond, 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 must be held by the Treasurer of State and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in section 6 lapse to the debt service account established for the retirement of these bonds.

Sec. 4. Interest and debt retirement. The Treasurer of State shall pay interest due or accruing on any bonds issued under this Act and all sums coming due for payment of bonds at maturity.

Sec. 5. Disbursement of bond proceeds. The proceeds of the bonds must be expended as set out in section 6 under the direction and supervision of the Land for Maine's Future Board in the State Planning Office for acquisition of lands for conservation, outdoor recreation, habitat conservation, public access and capital expenditures to improve access to the acquired lands.

Sec. 6. Allocations from General Fund bond issue; conservation, outdoor recreation, habitat conservation and capital expenditures for improved access to acquired lands. The proceeds of the sale of bonds must be expended as follows.

EXECUTIVE DEPARTMENT

Land for Maine's Future Board

All Other \$5,000,000

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

Sec. 7. Contingent upon ratification of bond issue. Sections 1 to 6 do not become effective unless 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 carry forward. Bond proceeds that have not been expended within 10 years after the date of the sale of the bonds 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 are not issued within 5 years of ratification of this Act, are deauthorized and may not be issued; except 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 must be submitted to the legal voters of the State of Maine at a statewide election held on the Tuesday following the first Monday of November following passage of this Act. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Act by voting on the following question:

“Do you favor a \$5,000,000 bond issue for the purchase of outstanding recreational and scenic lands, wildlife habitat conservation and increasing public access for Maine’s people?”

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word “Yes” or “No.” The ballots must 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 a majority of the legal votes are cast in favor of the Act, the Governor shall proclaim the result without delay, and the Act becomes 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 5, 1991

INTENT AND CONTENT

This Act would authorize the State to issue bonds in an amount not to exceed \$5,000,000 to raise funds for the acquisition of land for public purposes and for capital expenditures for improved access to the acquired lands. 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 for the acquisition of lands for conservation, farmland including development rights, outdoor recreation, habitat conservation, public access and capital expenditures for improved access to the acquired lands. Acquisitions are to be targeted to sites with outstanding recreational, scenic, natural or wildlife values.

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 acquisition of land for public purposes and for capital expenditures for improved access to the acquired lands.

A “NO” vote disapproves the bond issue.

Total Estimated Debt Service of \$5,840,000 of which Principal is \$5,000,000, Estimated Interest at 5.60% over 5 years is \$840,000.

STATE OF MAINE

CHAPTER 69

PRIVATE & SPECIAL LAWS OF 1991

An Act to Authorize a General Fund Bond Issue in the Amount of \$10,000,000 for the Purchase of Recycling Equipment and Facilities and for the Remediation and Closure of 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 purchase of recycling equipment and facilities and for the remediation and closure of solid waste landfills.

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

PART A

Sec. A-1. Authorization of bonds to provide for purchase of recycling equipment and facilities and for the costs of remediation and closure of solid waste landfills. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and behalf of the State in an amount not exceeding \$10,000,000 to raise funds for the purchase of recycling equipment, facilities and for the remediation and closure of solid waste landfills as authorized by section 6. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 10 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature.

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. The Treasurer of State 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 bond, 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 bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which must be held by the Treasurer of State and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Part. Any unencumbered balances remaining at the completion of the project in section 6 lapse to the debt service account established for the retirement of these bonds.

Sec. A-4. Interest and debt retirement. The Treasurer of State shall pay interest due or accruing on any bonds issued under this Part and all sums coming due for payment of bonds at maturity.

Sec. A-5. Disbursement of bond proceeds. The proceeds of the bonds must be expended as set out in section 6 under the direction and supervision of the Department of Environmental Protection and the Maine Waste Management Agency to purchase recycling equipment and facilities and for the remediation and closure of solid waste landfills.

Sec. A-6. Allocations from General Fund bond issue; purchase of recycling equipment and facilities and for the costs of remediation and closure of solid waste landfills. The proceeds of the sale of bonds must be expended as designated in the following schedule.

ENVIRONMENTAL PROTECTION, DEPARTMENT OF	1991-92
Site Evaluation and Planning Program	\$2,100,000
Municipal Implementation Grants Program	2,900,000
DEPARTMENT OF ENVIRONMENTAL PROTECTION	
TOTAL	<u>\$5,000,000</u>
MAINE WASTE MANAGEMENT AGENCY	
Office of Waste Reduction and Recycling	
All other	\$5,000,000
These funds will be used to help municipalities and regional associations with the purchase of equipment and construction costs for recycling facilities through grants and loans, including revolving loans.	
TOTAL ALLOCATIONS	<u>\$10,000,000</u>

Sec. A-7. Contingent upon ratification of bond issue. Sections 1 to 6 do not become effective unless the people of the State have ratified the issuance of bonds as set forth in this Part.

Sec. A-8. Appropriation balances at year end. At the end of each fiscal year, all unencumbered appropriation balances representing state money carry forward. Bond proceeds that have not been expended within 10 years after the date of the sale of the bonds 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 are not issued within 5 years of ratification of this Part, are deauthorized and may not be issued; except 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 statewide election; form of question; effective date. This Part must be submitted to the legal voters of the State of Maine at a statewide election held on the Tuesday following the first Monday of November following passage of this Part. The municipal officers 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 Part by voting on the following question:

“Do you favor a \$10,000,000 bond issue to fund grants and loans to municipalities and regional associations for purchasing recycling equipment and facilities and 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 designate their choice by a cross or check mark placed within a corresponding square below the word “Yes” or “No.” The ballots must 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 a majority of the legal votes are cast in favor of the Part, the Governor shall proclaim the result without delay, and the Part becomes 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 Part necessary to carry out the purpose of this referendum.

PART B

P&SL 1991, c. 46 is repealed.

Approved July 30, 1991

INTENT AND CONTENT

This Act would authorize the State to issue bonds in an amount not to exceed \$10,000,000 to raise funds for the purchase of recycling equipment and facilities and for the remediation and closure of solid waste landfills by regional and municipal organizations. 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 of the sale of the bonds would be expended by the Maine Waste Management Agency to provide grants and loans to solid waste regional associations and municipalities to pay for the capital costs associated with purchasing recycling equipment and construction of recycling facilities (\$5,000,000); and the Department of Environmental Protection to assist it in planning and making grants to municipal and regional organizations for the remediation and closure of solid waste landfills (\$5,000,000).

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 \$10,000,000 bond issue to fund the purchase of solid waste recycling equipment and facilities and the remediation and closure of solid waste landfills by regional and municipal organizations.

A “NO” vote disapproves the bond issue.

Total Estimated Debt Service of \$13,437,500 of which Principal is \$10,000,000, Estimated Interest at 6.25% over 10 years is \$3,437,500.

STATE OF MAINE

CHAPTER 49

PRIVATE & SPECIAL LAWS OF 1991

An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 for Major Improvements and Renovations at State Park Facilities and the Restoration and Preservation of Historic Buildings

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 major improvements and renovations at state parks and historic sites and for the restoration and preservation of historic buildings.

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

Sec. 1. Authorization of bonds to provide for major renovations and improvements at state parks and the preservation of historic buildings open to the public. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and behalf of the State in an amount not exceeding \$5,000,000 to raise funds for major renovations and improvements at state parks and historic sites, such as the replacement of obsolete water, septic and electrical systems, provisions for access by persons with disabilities, upgrading of sanitary facilities and other improvements necessary for continued public use, health and safety; and a matching grant program to restore and preserve historic buildings open to the public, including the State House, which is not subject to the matching requirement, as authorized by section 6. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 5 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature.

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. The Treasurer of State 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 bond, 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 must be held by the Treasurer of State and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in section 6 lapse to the debt service account established for the retirement of these bonds.

Sec. 4. Interest and debt retirement. The Treasurer of State shall pay interest due or accruing on any bonds issued under this Act and all sums coming due for payment of bonds at maturity.

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

Sec. 6. Allocations from General Fund bond issue; improvements and renovations at state parks and historic sites and a matching grant program to restore and preserve historic buildings open to the public. The proceeds of the sale of bonds must be expended as designated in the following schedule.

Department of Conservation, 1991-92
Bureau of Parks and Recreation

To pay for major renovations and improvements to facilities under the care of the Bureau of Parks and Recreation \$3,500,000

Maine Historic Preservation Commission

To pay for improvements associated with the restoration and preservation of historic buildings, including the State House \$1,500,000

Total General Fund Bonds \$5,000,000

Sec. 7. Contingent upon ratification of bond issue. Sections 1 to 6 do not become effective unless 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 carry forward. Bond proceeds that have not been expended within 10 years after the date of the sale of the bonds 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 are not issued within 5 years of ratification of this Act, are deauthorized and may not be issued; except 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 must be submitted to the legal voters of the State of Maine at a statewide election held on the Tuesday following the first Monday of November following passage of this Act. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Act by voting on the following question:

“Do you favor a \$5,000,000 bond issue for major renovations and improvements at state parks and for the preservation of historic buildings open to the public?”

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word “Yes” or “No.” The ballots must 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 a majority of the legal votes are cast in favor of the Act, the Governor shall proclaim the result without delay, and the Act becomes 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 5, 1991

INTENT AND CONTENT

This Act would authorize the State to issue bonds in an amount not to exceed \$5,000,000 to raise funds for major improvements and renovations at state parks and historic sites and for the restoration and preservation of historic buildings. 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: \$3,500,000 by the State Department of Conservation for major renovations and improvements (such as the replacement of obsolete water, septic and electrical systems, provisions for access by persons with disabilities, upgrading of sanitary facilities and other improvements necessary for continued public use, health and safety) at state parks and historic sites under the care of the Bureau of Parks and Recreation; and \$1,500,000 by the Maine Historic Preservation Commission for the restoration and preservation of historic buildings which are open to the public, including the State House.

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 major improvements and renovations at state parks and historic sites and for the restoration and preservation of historic buildings.

A "NO" vote disapproves the bond issue.

Total Estimated Debt Service of \$5,840,000 of which Principal is \$5,000,000, Estimated Interest at 5.60% over 5 years is \$840,000.

STATE OF MAINE

CHAPTER 53

PRIVATE & SPECIAL LAWS OF 1991

An Act to Authorize Department of Transportation Bond Issues in the Amount of \$29,700,000 to Match Available Federal Funds for Improvements to Highways, State and Local Bridges, Airports, State Ferry Vessels and Harbors.

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 and airport improvements and ferry vessel construction.

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

Sec. 1. Authorization of bonds to provide for highway, bridge and airport improvements, ferry vessel construction and harbor improvements. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and behalf of the State in an amount not exceeding \$29,700,000 to raise funds to match available federal funds for highway, bridge and airport improvements, ferry vessel construction and harbor improvements as authorized by section 6. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 20 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature.

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. The Treasurer of State 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 bond, 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 must be held by the Treasurer of State and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in section 6 lapse to the debt service account established for the retirement of these bonds.

Sec. 4. Interest and debt retirement. The Treasurer of State shall pay interest due or accruing on any bonds issued under this Act and all sums coming due for payment of bonds at maturity.

Sec. 5. Disbursement of bond proceeds. The proceeds of the bonds must be expended as set out in section 6 under the direction and supervision of the Commissioner of Transportation.

Sec. 6. Allocations from Highway Fund and General Fund bond issues; highway, bridge and airport improvements, ferry vessel construction and harbor improvements. The proceeds of the sale of bonds must be expended as designated in the following schedule.

Summary of Bond Issues

Highway Fund Bond Issues

Highway and bridge improvements \$25,000,000

Total Highway Fund \$25,000,000

General Fund Bond Issues

Airport improvements \$2,500,000

Ferry vessel construction and harbor improvements \$2,200,000

Total General Fund \$4,700,000

Total Highway Fund and General Fund Bonds \$29,700,000

Sec. 7. Allocation of Highway Fund bond issue. For fiscal year 1991-92 and fiscal year 1992-93, receipt of the Highway Fund from the proceeds of the sale of bonds must be segregated, apportioned and expended as designated in the following schedule.

	1991-92	1992-93
Highway and Bridge Improvements	\$12,500,000	\$12,500,000

Sec. 8. Contingent upon ratification of bond issue. Sections 1 to 7 do not become effective unless 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 carry forward. Bond proceeds that have not been expended within 10 years after the date of the sale of the bonds 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 are not issued within 5 years of ratification of this Act, are deauthorized and may not be issued; except 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 must be submitted to the legal voters of the State of Maine at a statewide election held on the Tuesday following the first Monday of November following passage of this Act. The municipal officers 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 \$29,700,000 bond issue for improvements to highways, state and local bridges, airports, state ferry vessels and harbors, which makes the State eligible for up to \$103,000,000 in matching federal funds?”

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word “Yes” or “No.” The ballots must 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 a majority of the legal votes are cast in favor of the Act, the Governor shall proclaim the result without delay, and the Act becomes 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 8, 1991

INTENT AND CONTENT

This Act would authorize the State to issue bonds in an amount not to exceed \$29,700,000 to raise funds to match available federal funds for highway, bridge and airport improvements; ferry vessel con-

struction; and harbor 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 bonds would be expended by the State Commissioner of Transportation and would be used to match available federal funds for highway and bridge improvements (\$25,000,000), airport improvements (\$2,500,000), and ferry vessel construction and harbor improvements (\$2,200,000).

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 \$29,700,000 bond issue for highway, bridge, and airport improvements; ferry construction; and harbor improvements.

A “NO” vote disapproves the bond issue.

Total Estimated Debt Service of \$50,905,800 of which Principal is \$29,700,000, Estimated Interest at 6.80% over 20 years is \$21,205,800.

CHAPTER 1

CONSTITUTIONAL RESOLUTIONS OF 1991

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Protect the Assets of State Retirement Plans

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, §18 is amended to read:

Section 18. Limitation on use of funds of Maine State Retirement System. All of the assets, and proceeds or income therefrom, of the Maine State Retirement System or any successor system and all contributions and payments made to the system to provide for retirement and related benefits shall be held, invested or disbursed as in trust for the exclusive purpose of providing for such benefits and shall not be encumbered for, or diverted to, other purposes. Funds appropriated by the Legislature for the Maine State Retirement System are assets of the system and may not be diverted or deappropriated by any subsequent action.

; and be it further

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

“Shall the Constitution of Maine be amended to provide that funds appropriated to the Maine State Retirement System become assets of the system and may not be diverted to another purpose?”

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 must 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. July 11, 1991.

INTENT AND CONTENT

This proposed constitutional amendment would prevent the Legislature, once it has appropriated funds for the Maine State Retirement System, from later deappropriating or otherwise diverting those funds.

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

A “NO” vote disapproves the proposed amendment.