

MAINE STATE LEGISLATURE

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ELECTIONS
- 1994 (NOV.)

**MAINE CITIZEN'S GUIDE TO THE
REFERENDUM ELECTION**

STATE LAW LIBRARY
AUGUSTA, MAINE

Tuesday, November 8, 1994



**In Accordance with
the April 27, 1994
Proclamation of the Governor
and with the Acts Passed by the
116th Legislature at the
Second Regular Session**

**Bill Diamond
Secretary of State**

Appropriation 010-29A-3213-012

OCT 27 1994



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, referendum questions allow you, the voter, to directly participate in governmental decision making by either directly deciding upon or legitimizing governmental policy.

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

A central task of mine, as Maine's chief election official, is to assist in doing precisely that -- informing your discretion. That is to say -- I want to provide you with as much information as possible regarding the initiative and bond issues to be voted on November 8, 1994.

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

Enclosed you will find the referendum questions and the legislative documents pertaining to each, followed by a summary of the intent and content, an explanation of the significance of a vote for or against the measure, and an analysis of the debt service on the bond issues. I hope this information will be helpful to you, that you will study it thoroughly and that you will exercise your democratic privilege by voting on November 8, 1994.

Sincerely,

A handwritten signature in cursive script that reads "Bill Diamond".

Bill Diamond
Secretary of State

STATE OF MAINE
Referendum Election, November 8, 1994
LISTING OF
REFERENDUM QUESTIONS

Question 1: Initiative Question

"Do you favor the changes in Maine law limiting the number of terms which may be served by Maine's Representatives to the United States House of Representatives and the United States Senate proposed by citizen petition?"

Question 2: Bond Issue

"Do you favor a \$9,000,000 bond issue for the following purposes: (1) Four million dollars for construction of local water pollution control facilities, providing the state match for \$20,000,000 in federal funds; (2) \$1,000,000 for the Small Community Program; and (3) Four million dollars to provide for the investigation, abatement and mitigation of threats to the public health and environment from uncontrolled hazardous substances sites or other hazardous waste discharges?"

Total Estimated Debt Service of \$10,296,000 of which Principal is \$9,000,000, Estimated Interest at 4.80% over 5 years is \$1,296,000.

Question 3: Bond Issue

"Do you favor a \$20,000,000 bond issue to protect the State's drinking water resources by granting funds to cities and towns for the capping of their solid waste landfills?"

Total Estimated Debt Service of \$26,050,000 of which Principal is \$20,000,000, Estimated Interest at 5.50% over 10 years is \$6,050,000.

Question 4: Bond Issue

"Do you favor a \$5,000,000 bond issue for academic improvements at the University of Maine System, including the enhancement of instructional technology and distance learning?"

Total Estimated Debt Service of \$5,720,000 of which Principal is \$5,000,000, Estimated Interest at 4.80% over 5 years is \$720,000.

Question 5: Bond Issue

"Do you favor a \$15,000,000 bond issue to create and retain Maine jobs through the establishment of community, regional and state business financing programs?"

Total Estimated Debt Service of \$21,393,750 of which Principal is \$15,000,000, Estimated Interest at 7.75% over 10 years is \$6,393,750.

Question 6: Bond Issue

"Do you favor transportation bond issues totaling \$21,300,000 to provide the state share of costs to improve rail and port facilities, which will make the State eligible for federal and private funds, to build municipal and state sand and salt storage facilities and to remove underground fuel tanks at Department of Transportation and State Police facilities?"

Total Estimated Debt Service of \$27,743,250 of which Principal is \$21,300,000, Estimated Interest at 5.50% over 10 years is \$6,443,250.

Question 7: Bond Issue

"Do you favor a \$5,000,000 bond issue to purchase up-to-date training equipment at Maine's technical colleges of which \$1,500,000 must be matched by private or in-kind donations?"

Total Estimated Debt Service of \$5,720,000 of which Principal is \$5,000,000, Estimated Interest at 4.80% over 5 years is \$720,000.

Question 8: Bond Issue

"Do you favor a \$2,000,000 bond issue for safety improvements at the Baxter School for the Deaf?"

Total Estimated Debt Service of \$2,288,000 of which Principal is \$2,000,000, Estimated Interest at 4.80% over 5 years is \$288,000.

Question 9: Bond Issue

"Do you favor a \$10,000,000 bond issue for the improvement and expansion of fish hatcheries?"

Total Estimated Debt Service of \$11,440,000 of which Principal is \$10,000,000, Estimated Interest at 4.80% over 5 years is \$1,440,000.

Treasurer's Statement

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, 1994.

Bonds Outstanding and Unpaid to Mature Through 2008

Highway fund	\$143,355,000
General fund	\$386,006,320
Total	<u>\$529,361,320</u>

Interest to be Repaid on Bonds Issued

Highway fund	\$ 54,316,933
General fund	\$ 97,066,279
Total	<u>\$151,383,212</u>

Total to be Repaid on Bonds Issued	<u>\$680,744,532</u>
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Additional Bonds Authorized But Not Yet Issued	\$ 47,150,600
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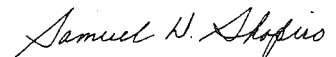
Limit of Contingent Bonds Liability Authorized by Constitution and Laws But Unissued	<u>\$100,125,000</u>
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Total Bonds Authorized But Unissued	<u>\$147,275,600</u>
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Total Additional Bonds to be Authorized if Ratified by Voters	\$ 87,300,000
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Potential New Estimate of Interest	\$ 23,351,000
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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 \$23,351,000 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 \$110,651,000. The amount that must be paid in the present fiscal year (July 1, 1994 to June 30, 1995) for debt already outstanding is \$62,138,680 in principal and \$31,684,779 in interest, a total of \$93,823,459.



Samuel D. Shapiro
Treasurer of State

Question 1: Initiative Question

Do you favor the changes in Maine law limiting the number of terms which may be served by Maine's Representatives to the United States House of Representatives and the United States Senate proposed by citizen petition?

STATE OF MAINE

TO THE LEGISLATURE OF THE STATE OF MAINE:

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

"AN ACT to Impose Term Limitations on Maine's Representatives to the United States House of Representatives and the United States Senate. ~~The full text of said act is printed on page one (1) of this petition.~~"

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

Sec. 1. 21-A MRSA c.5, sub-c. VI is enacted to read:

SUBCHAPTER VI

**CANDIDATES FOR THE UNITED STATES CONGRESS:
THE UNITED STATES HOUSE OF REPRESENTATIVES AND
THE UNITED STATES SENATE**

§421. Limitations on candidates for Congress: the United States House of Representatives and the United States Senate

1. Short title. This Act may be known and cited as the "Maine Congressional Term Limitations Act of 1994."

2. Purpose and Intent. The People of the State of Maine declare their purpose and intent in enacting this legislation to be as follows:

A. To prevent potential corruption in office by limiting the number of terms Representatives and Senators may hold the same office.

B. To preserve the integrity of the ballot by limiting the corrupting influence and dominance of special interests upon entrenched incumbents.

C. To defend their right to stand for and hold public office by encouraging a larger selection of candidates, and by curtailing the effects of entrenched incumbency, which discourages competitive elections, particularly in primaries.

D. To protect and defend their right to equal protection of the laws by giving more citizens of this state the opportunity to stand for and hold public office.

E. To ensure that those who are elected to Congress will return to private life to live in this state under the laws they have made while serving in Congress.

3. Ballot access. Notwithstanding any other provision of law, the Secretary of State, or other election official authorized by law, may not accept or verify the signatures on any nomination paper

for any person or certify, place on the list of certified candidates or print or cause to be printed on any ballot, ballot pamphlet, sample ballot or ballot label the name of any person who:

A. Seeks to become a candidate for a seat in the United States House of Representatives and who has served, or but for resignation would have served, as a member of the United States House of Representatives representing any portion or district of this State during 6 or more of the previous 11 years; or

B. Seeks to become a candidate for a seat in the United States Senate and who has served, or but for resignation would have served, as a member of the United States Senate representing the State during 12 or more of the previous 17 years.

4. Construction. The provisions of this section must be construed as follows:

A. This section may not be construed to prevent or prohibit a qualified voter of this State from casting a ballot for any person by writing the name of that person on the ballot or from having such a ballot counted or tabulated.

B. This section may not be construed to prevent or prohibit a person from standing or campaigning for any elective office by means of a write-in campaign.

C. This section may not be construed to prevent or prohibit the name of any person from appearing on the ballot at any direct primary or general election unless that person's name is specifically prohibited from appearing on that ballot by the provisions of subsection 3 and to that end subsection 3 must be strictly construed.

Sec. 2. Application. This Act applies to federal congressional candidates whose terms of office begin on or after January 1, 1995. Service in the United States Congress prior to January 1, 1994 may not be counted for the purposes of this act.

This section does not preclude or prohibit a person from seeking nomination or election to any other office for which a term limit or ballot access restriction is not applicable.

STATEMENT OF FACT

This bill prohibits a person from becoming a candidate for the United States House of Representatives if that person served in that body during 6 or more of the previous 11 years or for the United States Senate if that person served in that body during 12 or more of the previous 17 years. The bill applies only to federal congressional candidates whose terms begin on or after January 1, 1995.

STATE OF MAINE

Proclamation

WHEREAS, written petitions bearing the signatures of 54,515 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 Sixteenth Legislature in the Second Regular Session, requesting that the Legislature consider an act entitled "An Act to Impose Term Limitations on Maine's Representatives to the United States House of Representatives and the United States Senate," and

WHEREAS, on April 6, 1994 the Maine House of Representatives accepted the Minority Ought Not to Pass Report of the Joint Standing Committee on State and Local Government on the initiated act, known as Legislative Document 1983; and

WHEREAS, on April 7, 1994 the Maine Senate accepted the Minority Ought Not to Pass Report of the Joint Standing Committee on State and Local Government on the initiated act, known as Legislative Document 1983; 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 referendum vote; and

WHEREAS, under the provisions of Article IV, Part Third, Section 18 of the Constitution of Maine, 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, in pursuance of 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 8, 1994 so that "An Act to Impose Term Limitations on Maine's Representatives to the United States House of Representatives and the United States Senate" 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-seventh day of April in the year One Thousand Nine Hundred and Ninety-Four.



JOHN R. McKERNAN, Jr.
Governor

BILL DIAMOND
Secretary of State

Intent and Content

This initiated legislation would direct the Secretary of State not to place on the ballot the name of any candidate for the United States House of Representatives who has been elected to represent Maine in the United States House of Representatives for any 6 of the previous 11 years, or the name of any candidate for the United States Senate who has been elected to represent Maine in the United States Senate for any 12 of the previous 17 years. The legislation would not prohibit persons from voting for, or running as, write-in candidates, and applies only to time served by Representatives and Senators beginning January 1, 1995.

A "YES" vote approves the initiative question and imposes term limitations on Maine's Representatives to the United States House of Representatives and the United States Senate.

A "NO" vote disapproves the initiative question.

Question 2: Bond Issue

Do you favor a \$9,000,000 bond issue for the following purposes: (1) Four million dollars for construction of local water pollution control facilities, providing the state match for \$20,000,000 in federal funds; (2) \$1,000,000 for the Small Community Program; and (3) Four million dollars to provide for the investigation, abatement and mitigation of threats to the public health and environment from uncontrolled hazardous substances sites or other hazardous waste discharges?

STATE OF MAINE

Chapter 92

Private and Special Laws of 1993

"An Act to Authorize a General Fund Bond Issue in the Amount of \$9,000,000 to Construct Water Pollution Control Facilities and to Investigate, Abate, Clean up and Mitigate Threats to the Public Health and Environment from Uncontrolled Hazardous Substances 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 for the construction of water pollution control facilities and for the investigation, abatement and mitigation of threats to the public health and environment from uncontrolled hazardous substances 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 construction of water pollution control facilities and for the investigation, abatement, mitigation and cleanup of threats to the public health and environment from uncontrolled hazardous substances sites or other hazardous waste discharges. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$4,000,000 to raise funds for construction of water pollution control facilities, \$1,000,000 for the Small Community Program and \$4,000,000 for the investigation, abatement, mitigation and cleanup of threats to the public health and environment from uncontrolled hazardous substances sites or other hazardous waste discharges 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 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 appro-

priated 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 Department of Environmental Protection.

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

1994-95

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

State Revolving Loan Fund for construction of water pollution control facilities	\$4,000,000
Small Community Program	1,000,000
Investigation, abatement, mitigation and cleanup of threats to the public health and environment from uncontrolled hazardous substances sites or other hazardous waste discharges	4,000,000

DEPARTMENT OF ENVIRONMENTAL PROTECTION

TOTAL \$9,000,000

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 general election; form of question; effective date. This Act must 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 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 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 the following purposes: (1) Four million dollars for construction of local water pollution control facilities, providing the state

match for \$20,000,000 in federal funds; (2) \$1,000,000 for the Small Community Program; and (3) Four million dollars to provide for the investigation, abatement and mitigation of threats to the public health and environment from uncontrolled hazardous substances sites or other hazardous waste discharges?”

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 April 15, 1994

Intent and Content

This Act would authorize the State to issue bonds in an amount not to exceed \$9,000,000 to raise funds for the construction of water pollution control facilities, and the control of hazardous substances sites and hazardous waste discharges. 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.

The proceeds of the sale of the bonds would be expended by the Department of Environmental Protection for its State Revolving Loan Fund for the construction of water pollution control facilities (\$4,000,000), and Small Community Program (\$1,000,000), and for the investigation, abatement, mitigation and cleanup of uncontrolled hazardous substances sites and other hazardous waste discharges (\$4,000,000).

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 \$9,000,000 bond issue for the construction of water pollution control facilities, and the control of hazardous substances sites and hazardous waste discharges.

A "NO" vote disapproves the bond issue.

Total Estimated Debt Service of \$10,296,000 of which Principal is \$9,000,000, Estimated Interest at 4.80% over 5 years is \$1,296,000.

Question 3: Bond Issue

Do you favor a \$20,000,000 bond issue to protect the State's drinking water resources by granting funds to cities and towns for the capping of their solid waste landfills?

STATE OF MAINE

Chapter 99

Private and Special Laws

"An Act to Authorize a General Fund Bond Issue in the Amount of \$20,000,000 for the Remediation and Capping of Municipal 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 capping and remediation of municipal solid waste landfills.

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 municipal solid waste landfills. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$20,000,000 to raise funds to properly cap and remediate threats to drinking water supplies and other environmental resources as a direct result of the leaching of pollutants from municipal 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. 2. Records of bonds issued to be kept by 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 Department of Environmental Protection.

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

1994-95

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Provides funds for reimbursement for outstanding municipal solid waste landfill capping and remediation expenses. Any remaining proceeds are to be allocated for municipal solid waste landfill site evaluation and planning and municipal grants program for implementation of new landfill capping and remediation plans.	\$20,000,000
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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 general election; form of question; effective date. This Act must 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 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 general election, to vote on the acceptance or rejection of this Act by voting on the following question:

“Do you favor a \$20,000,000 bond issue to protect the State’s drinking water resources by granting funds to cities and towns for the capping of their solid waste landfills?”

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 April 20, 1994

Intent and Content

This Act would authorize the State to issue bonds in an amount not to exceed \$20,000,000 to raise funds for the remediation and capping of municipal solid waste landfills. 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 Department of Environmental Protection for the remediation and capping of outstanding municipal solid waste landfills. Any funds not needed for this purpose may be used to evaluate and plan municipal solid waste landfill sites and to develop plans for the remediation and capping of new municipal landfills.

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 \$20,000,000 bond issue for the remediation and capping of municipal solid waste landfills.

A “NO” vote disapproves the bond issue.

Total Estimated Debt Service of \$26,050,000 of which Principal is \$20,000,000, Estimated Interest at 5.50% over 10 years is \$6,050,000.

Question 4: Bond Issue

Do you favor a \$5,000,000 bond issue for academic improvements at the University of Maine System, including the enhancement of instructional technology and distance learning?

STATE OF MAINE

Chapter 95

Private and Special Laws

“An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 for Academic Improvements at the University of Maine System, Including the Enhancement of Instructional Technology and Distance Learning”

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 academic improvements at the University of Maine System, including the enhancement of instructional technology and distance learning.

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

Sec. 1. Authorization of bonds to provide for funds for academic improvements at the University of Maine System. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$5,000,000 for academic 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 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 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 University of Maine System.

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

1994-95

UNIVERSITY OF MAINE SYSTEM

Academic Improvements, including the enhancement of instructional technology and distance learning \$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 general election; form of question; effective date. This Act must 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 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 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 academic improvements at the University of Maine System, including the enhancement of instructional technology and distance learning?”

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 April 15, 1994

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 academic improvements at the University of Maine System. 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 by the University of Maine System for academic improvements, including the enhancement of instructional technology and distance learning.

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 academic improvements at the University of Maine System.

A “NO” vote disapproves the bond issue.

Total Estimated Debt Service of \$5,720,000 of which Principal is \$5,000,000, Estimated Interest at 4.80% over 5 years is \$720,000.

Question 5: Bond Issue

Do you favor a \$15,000,000 bond issue to create and retain Maine jobs through the establishment of community, regional and state business financing programs?

STATE OF MAINE

Chapter 722

Public Laws

“An Act to Authorize a General Fund Bond Issue in the Amount of \$15,000,000 to Provide Funds for Assistance to Maine Businesses”

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 Economic Recovery Program and the Regional Economic Development Revolving Loan Program.

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

PART A

Sec. A-1. Authorization of bonds to provide for the Economic Recovery Program and the Regional Economic Development Revolving Loan 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 \$15,000,000 to raise funds for economic development activities 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. The bonds must be issued from time to time so as to meet the needs of the Economic Recovery Program and the Regional Economic Development Revolving Loan Program of the Finance Authority of Maine. 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. A-2. Records of bonds issued to be kept by 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 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. A-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. 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 Finance Authority of Maine.

Sec. A-6. Allocations from General Fund bond issue; Economic Recovery Program and Regional Economic Development Revolving Loan Program. The proceeds of the sale of bonds must be expended as designated in the following schedule.

1994-95

FINANCE AUTHORITY OF MAINE

Regional Economic Development Revolving Loan Program \$10,000,000

Provides funds for the capitalization of the Regional Economic Development Revolving Loan Program. The program consists of a revolving loan fund, which is used to provide loans to assist businesses to create or retain jobs. The fund and the program are administered by the Finance Authority of Maine, on behalf of local, regional and statewide economic development entities.

Economic Recovery Program \$5,000,000

Provides funds for the continuation of the capitalization of the Economic Recovery Program. The program is a direct lending program designed to assist small businesses in their efforts to remain viable. Priority is given to projects that demonstrate strong public benefit and leverage other sources of capital.

FINANCE AUTHORITY OF MAINE TOTAL \$15,000,000

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 Act.

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 disbursed into the Economic Recovery Program Fund or the Regional Economic Development Revolving Loan Fund within 5 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 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. A-10. Referendum for ratification; submission at general election; form of question; effective date. This Part must 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 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 general election, to vote on the

acceptance or rejection of this Part by voting on the following question:

“Do you favor a \$15,000,000 bond issue to create and retain Maine jobs through the establishment of community, regional and state business financing programs?”

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.

PART B

Sec. B-1. 10 MRSA §1023-I, sub-§§3, 4 and 5, as enacted by PL 1991, c.849, §1 and as affected by §7, are amended to read:

3. Application of the fund. Money in the fund, except money in the 1994 Bond Proceeds Account, may be applied to carry out any power of the authority under or in connection with section 1026-J or to pay obligations incurred in connection with the fund. Money in the 1994 Bond Proceeds Account may be applied to carry out any power of the authority under or in connection with section 1026-J or 1026-K or to pay obligations incurred in connection with the fund. Money in the fund not needed currently to meet the obligations of the authority as provided in this section may be invested in a manner permitted by law.

4. Accounts within fund. The authority may divide the fund into separate accounts it determines necessary or convenient for carrying out this section. Notwithstanding this subsection, the authority shall create and establish within the fund the 1992 Bond Proceeds Account and the 1994 Bond Proceeds Account. The authority shall allocate and deposit to the 1992 Bond Proceeds Account all proceeds of bonds issued pursuant to Private and Special Law 1991, chapter 113, Part A and, subject to any pledge, contract or other obligation, all interest, dividends or other pecuniary gains from investment of money or any money that the authority receives in repayment of advances from the 1992 Bond Proceeds Account in the fund and shall allocate to the 1994 Bond Proceeds Account all proceeds of any bonds authorized in 1994 to be issued for the purpose of meeting the needs of the Economic Recovery Program and, subject to any pledge, contract or other obligation, all interest, dividends or other pecuniary gains from investment of money or any money that the authority receives in repayment of advances from the 1994 Bond Proceeds Account in the fund.

5. Revolving fund. The fund is a nonlapsing, revolving fund. All money in the 1992 Bond Proceeds Account of the fund must be continuously applied by the authority to carry out this section and section 1026-J and all money in the 1994 Bond Proceeds Account of the fund must be continuously applied by the authority to carry out this section and sections 1026-J and 1026-K.

Sec. B-2. 10 MRSA §1026-L is enacted to read:

§1026-L. Capital Access Program

1. Capital Access Program established. The authority shall establish a program known as the Capital Access Program, referred to in this section as "CAP," for the benefit of each participating state bank. The Capital Access Program Fund, referred to in this section as the "fund," is established to implement the CAP. The fund must be separate and apart from all other funds of the authority and held exclusively to secure the principal of and the interest on CAP loans made by a participating state bank.

2. Contribution limit. The amount of the authority's contribution to the fund may not exceed 10% of the principal amount of CAP loans to be secured by the fund. As a condition of the authority making a contribution to the fund, the authority may require the borrower or the participating state bank to make a contribution to the fund and may impose other conditions the authority determines necessary. All money contributed to the fund by the authority must be held in the name of the authority. Investment earnings on the fund must be credited to the fund and periodically paid to the authority, unless a CAP participation agreement pursuant to subsection 3 provides otherwise.

3. Bank participation; rules. Before establishing a CAP at a participating state bank, the authority must enter into a CAP participation agreement with the participating state bank. The CAP participation agreement must specify:

A. The maximum amount of the authority's contributions to the CAP;

B. Conditions under which the authority may make contributions to the CAP;

C. Conditions under which the participating state bank may demand payment from a CAP to pay a defaulted CAP loan;

D. Minimum due diligence procedures for servicing CAP loans;

E. Conditions under which the participating state bank or a borrower may be required to contribute to the CAP;

F. Provisions for the payment of authority fees, costs and expenses from earnings on the CAP or otherwise;

G. Provisions for the termination of the CAP, in whole or in part, and disbursement of any excess funds in the CAP;

H. Criteria and procedures that qualify a loan as a CAP loan;

I. The requirement that the participating state bank report to the authority at least annually regarding outstanding balances on CAP loans, delinquent CAP loans and such other information as the authority determines appropriate;

J. Permitted investments in the CAP; and

K. Other terms and conditions the authority determines necessary.

4. Minimum requirements. At a minimum, CAP loans must meet the following requirements.

A. The borrower must be either a start-up business or may not have had annual sales in its most recently completed fiscal year greater than \$5,000,000.

B. The total outstanding principal amount of CAP loans to the borrower may not exceed \$500,000.

C. The proceeds of the CAP loan must be used for business purposes.

By written notice to participating state banks, the authority may impose requirements on CAP loans in addition to those contained in this subsection or in a CAP participation agreement. Additional requirements do not apply to CAP loans already made or to CAP loans for which written commitments exist if CAP loans from these written commitments are made within 3 months after the date of the written notice.

Sec. B-3. Application; contingent on bond issue. This Part takes effect only if the bond issue submitted pursuant to Part A of this Act is approved by the voters of this State.

PART C

Sec. C-1. 10 MRSA §1026-M is enacted to read:

§1026-M. Regional Economic Development Revolving Loan Program

1. Established. The Regional Economic Development Revolving Loan Program, referred to in this section as the "program," is established to provide financial assistance to businesses that need assistance in order to create or retain jobs. The authority shall administer the program on behalf of eligible economic development corporations or entities. The Regional Economic Development Revolving Loan Program Fund, referred to in this section as the "fund," is established as a revolving fund, into which must be deposited all amounts appropriated to the program, interest earnings on the fund and any amounts repaid to the program by participating corporations. Amounts in the fund must be used by the authority for purposes authorized in this section.

2. Eligible corporations. The fund is open to local, regional and statewide nonprofit or governmental economic development corporations or entities, capable of providing financial assistance to businesses in order to create and protect jobs and referred to in this section as "corporations." To be eligible for assistance from the fund:

A. A corporation must apply to the authority to participate in the fund. The application must describe the corporation and its funding sources, the region it serves, its methods and criteria for qualifying borrowers, including any targeted lending and economic development strategies, its expertise in management assistance and financing of small and emerging businesses, the method by which it will leverage funds from other sources in an amount at least equal to 2 times the amount requested from the fund and other information the authority determines necessary;

B. A corporation must have a strategy for the creation and retention of jobs, an effective small business marketing and technical assistance plan and enough expert assistance available to it to underwrite, document and service loans and assist its clients;

C. The corporation must be determined by the authority to be able to prudently and effectively administer a direct loan fund and to coordinate with other business assistance programs and employment training and social assistance programs; and

D. The corporation must propose performance measurements and goals and a process for monitoring compliance with proposed measurements and goals. The authority shall assist corporations in developing loan underwriting and administrative capacity and in portfolio monitoring and servicing and may establish one or more advisory boards or committees to assist corporations.

3. Disbursements from fund. If an application is approved, the authority shall determine the amount to be disbursed to the corporation, taking into account:

A. The size of the region served by the corporation and the expected demand for loan funds in that region;

B. The demand for funds from other eligible corporations in relation to the total amount available in the fund; and

C. Whether an eligible corporation will serve a geographic area or segment of potential business borrowers not served by other applicants.

A corporation may not receive more than \$1,250,000 from the fund. Funds must be disbursed directly to and retained by the eligible corporation in accordance with the contract between the corporation and the authority. Funds must be disbursed to the corporation in the form of a loan or a grant. The authority may, in its discretion, disburse fund amounts in one lump sum or periodic disbursements.

4. Contract. A corporation that has been approved for participation in the program may enter into a contract with the authority. The contract governs the administration of the program and the use of funds. The contract must provide that a corporation shall, at a minimum, conform to the following terms and conditions:

A. The corporation shall certify that it will use funds only for eligible purposes;

B. The corporation shall review applications for financial assistance, determine the feasibility of the application and approve or deny the application, which determination is final in the case of loans under \$100,000 or in the case of denials of any amount;

C. An officer or employee of the corporation or a member of its credit committee may not participate in any way in, or have any influence over, a decision on a project in which that officer, employee or member has a direct or indirect personal financial interest;

D. If the corporation breaches its contract with the authority or ceases to operate a loan program in substantial conformance with its proposal to the authority, the authority may withhold further funding and may require repayment of any undisbursed loan funds and loan repayments to the authority; and

E. Other terms and conditions as the authority determines appropriate.

5. Administrative costs. A corporation may not use any money disbursed from the fund by the authority for administrative expenses, but may charge a commitment fee of up to 1% and may use interest earnings not to exceed 5% of each loan annually on loans to cover reasonable administrative and technical assistance costs. The

authority shall review and approve a corporation's administrative expenses on an annual basis. The authority may establish by rule reasonable administrative fees for its administration of the fund.

6. Financing terms and conditions. Loans may be made from program funds under the following terms and conditions.

A. Loans may not exceed \$200,000 to a borrower, including an affiliated entity, and approval of the authority is required for any loan in excess of \$100,000.

B. Loans may not exceed 1/3 of the net new funds being provided to a borrower.

C. Each corporation shall establish interest rates, amortization schedules and repayment terms for each borrower, except that loans may not bear a rate of interest greater than the prime rate of interest plus 7% or may not be for a term longer than 20 years.

D. When necessary, a corporation may provide for flexible repayment terms and may require additional payments tied to the borrower's financial success.

E. A corporation shall require collateral for loans when available, but may subordinate to loans from other lenders.

7. Eligible projects. In order for a project or borrower to be eligible for financial assistance under the program, the following criteria must be met.

A. The business for which funds are requested has 50 or fewer employees or annual sales of \$5,000,000 or less, and it consists of or involves at least one of the following:

(1) Advanced manufacturing technologies, such as value-added wood products and specialty fabricated metal and electronic products;

(2) Advanced information system technologies, such as telecommunications and environmental products and services;

(3) Advanced biological and natural resource technologies, such as aquaculture, agriculture and biotechnology;

(4) A business converting from defense dependency;

(5) A business significantly engaged in export of goods or services to locations outside the State;

(6) A business that dedicates significant resources to research and development activities; and

(7) Other businesses with 5 or fewer employees.

B. The borrower is unable to obtain funding needed for the project from other public and private sources, including the personal resources of the owners of the business borrowing from the fund.

C. The borrower has committed all reasonably available resources to the project, obtained financial commitment from other sources of financing and demonstrated a reasonable likelihood that the loan can be repaid.

D. The loan is not used to make distributions to or for the benefit of an owner of the business borrowing from the fund or a related entity.

8. Priorities. Among eligible applicants, a corporation shall give priority to businesses with the potential of meeting one or more of the following objectives.

A. The financing will help the business pursue a business that adds significant value to raw materials or inventory.

B. The financing is likely to result in a long-term net increase in permanent, quality jobs that meet a local or regional need or the retention of jobs in jeopardy of being lost.

9. Reports. A corporation shall report at least semiannually to the authority on the projects the corporation funds and the administration of the program. The report must include a description of each project, the amount, type and terms of assistance the project received, the number of jobs that were created or retained and other information the authority requires. The report must contain an accounting of the loan portfolio and any loans that are in default, as well as an accounting of the corporation's administrative and technical assistance expenses incurred and charged to the program.

10. Audit. The authority shall review annually each corporation's participation in the program and may, in its discretion, require an independent audit at the expense of the corporation. If the authority determines that a corporation has used funds for ineligible purposes, the corporation shall repay those funds to the authority for deposit into the fund. The authority may not disburse additional funds to a corporation until the corporation has repaid the misapplied funds and has fully complied with its obligations under the contract with the authority.

11. Written procedures. The authority shall adopt rules governing the program pursuant to Title 5, chapter 375.

Sec. C-2. Application; contingent on bond issue. This Part takes effect only if the bond issue submitted pursuant to Part A of this Act is approved by the voters of this State.

Approved April 20, 1994

Intent and Content

This Act would authorize the State to issue bonds in an amount not to exceed \$15,000,000 to raise funds for assistance to Maine businesses. 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 under the direction of the Finance Authority of Maine to create a Regional Economic Development Revolving Loan Program to provide loans to assist businesses to create or retain jobs (\$10,000,000), and to continue the Economic Recovery Program, which assists small businesses to remain economically viable (\$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 \$15,000,000 bond issue for assistance to Maine businesses.

A "NO" vote disapproves the bond issue.

Total Estimated Debt Service of \$21,393,750 of which Principal is \$15,000,000, Estimated Interest at 7.75% over 10 years is \$6,393,750.

Question 6: Bond Issue

Do you favor transportation bond issues totaling \$21,300,000 to provide the state share of costs to improve rail and port facilities, which will make the State eligible for federal and private funds, to build municipal and state sand and salt storage facilities and to remove underground fuel tanks at Department of Transportation and State Police facilities?

STATE OF MAINE

Chapter 93

Private and Special Laws

"An Act to Authorize Department of Transportation Bond Issues in the Amount of \$21,300,000 to Improve Rail and Port Facilities and Make Improvements at State and Municipal Transportation 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 improve rail and port facilities and make improvements at state and municipal transportation facilities.

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

Sec. 1. Authorization of bonds to provide funds to improve rail and port facilities and make improvements at state and municipal transportation facilities. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$21,300,000 to raise funds to improve rail and port facilities and make improvements at state and municipal transportation 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 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. 2. Records of bonds issued to be kept by 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 Department of Transportation.

Sec. 6. Allocations from General Fund and Highway Fund bond issues. The proceeds of the sale of bonds must be expended as designated in the following schedule.

1993-94

TRANSPORTATION, DEPARTMENT OF

General Fund

Provides funds for acquisition of land and for related costs for port facilities improvements	\$3,500,000
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State share of rail facilities improvements not to exceed 50% on individual rail improvement projects	8,000,000
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General Fund Total	\$11,500,000
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Highway Fund

Oil tank removal at Department of Transportation and State Police facilities	1,800,000
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State and municipal sand and salt storage facilities	8,000,000
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Highway Fund Total	\$9,800,000
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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 or Highway 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 general election; form of question; effective date. This Act must 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 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 general election, to vote on the acceptance or rejection of this Act by voting on the following question:

“Do you favor transportation bond issues totaling \$21,300,000 to provide the state share of costs to improve rail and port facilities, which will make the State eligible for federal and private funds, to build municipal and state

sand and salt storage facilities and to remove underground fuel tanks at Department of Transportation and State Police 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 April 15, 1994

Intent and Content

This Act would authorize the State to issue bonds in an amount not to exceed \$21,300,000 to raise funds to improve rail and port facilities and to make improvements at state and municipal transportation facilities. The bonds would run for a period of not longer than 10 years from the date of issue and would be backed by the full faith and credit of the State.

The proceeds of the sale of the bonds would be expended by the Department of Transportation and would be used to provide funds for acquisition of land and for related costs for port facilities improvements (\$3,500,000), for the state share of 50% of rail improvement projects (\$8,000,000), for the removal of oil tanks at Department of Transportation and State Police facilities (\$1,800,000), and for the construction and maintenance of state and municipal sand and salt facilities (\$8,000,000).

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

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

A “YES” vote approves the authorization of a \$21,300,000 bond issue for improvements at rail and port facilities and state and municipal transportation facilities.

A “NO” vote disapproves the bond issue.

Total Estimated Debt Service of \$27,743,250 of which Principal is \$21,300,000, Estimated Interest at 5.50% over 10 years is \$6,443,250.

Question 7: Bond Issue

Do you favor a \$5,000,000 bond issue to purchase up-to-date training equipment at Maine's technical colleges of which \$1,500,000 must be matched by private or in-kind donations?

STATE OF MAINE

Chapter 96

Private and Special Laws

"An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 for Training Equipment for the Maine Technical College System"

Preamble. Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine to provide funds for equipment for the Maine Technical College System.

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

Sec. 1. Authorization of bonds to provide for training equipment for the Maine Technical College System. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$5,000,000 to raise funds for training equipment for the Maine Technical College System 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 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 Board of Trustees of the Maine Technical College System.

Sec. 6. Allocations from General Fund bond issues; equipment purchases. The proceeds of the sale of bonds must be expended as designated in the following schedule.

MAINE TECHNICAL COLLEGE SYSTEM \$3,500,000

Funds must be used for training equipment purchases and must be allocated to all campuses by a formula approved by the trustees.

MAINE TECHNICAL COLLEGE SYSTEM PROGRAM ENHANCEMENT \$1,500,000

Funds must be used for training equipment purchases and must be allotted based on a competitive request-for-proposal process that addresses program enhancements or research and development. The \$1,500,000 will be available to be matched on a one-to-one basis by private or in-kind donations and will be allotted as such donations become available.

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 general election; form of question; effective date. This Act must 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 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 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 to purchase up-to-date training equipment at Maine’s technical colleges of which \$1,500,000 must be matched by private or in-kind donations?”

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 April 15, 1994

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 purchase of training equipment and for program enhancement and research and development at the Maine Technical College System. 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 by the Maine Technical College System for the purchase of training equipment at all of its campuses (\$3,500,000), and to match private donations for program enhancements and research and development (\$1,500,000).

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

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

A “YES” vote approves the authorization of a \$5,000,000 bond issue for the purchase of training equipment and for program enhancement and research and development at the Maine Technical College System.

A “NO” vote disapproves the bond issue.

Total Estimated Debt Service of \$5,720,000 of which Principal is \$5,000,000, Estimated Interest at 4.80% over 5 years is \$720,000.

Question 8: Bond Issue

Do you favor a \$2,000,000 bond issue for safety improvements at the Baxter School for the Deaf?

STATE OF MAINE

Chapter 88

Private and Special Laws

“An Act to Authorize a General Fund Bond Issue in the Amount of \$2,000,000 for Safety Improvements at the Baxter School for the Deaf”

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 for safety improvements at the Baxter School for the Deaf.

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

Sec. 1. Authorization of bonds to provide for funds for safety improvements at the Baxter School for the Deaf. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$2,000,000 to raise funds for safety improvements at the Baxter School for the Deaf 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 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 Department of Education.

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

EDUCATION, DEPARTMENT OF

Safety improvements at the Baxter
School for the Deaf \$2,000,000

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 general election; form of question; effective date. This Act must 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 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 general election, to vote on the acceptance or rejection of this Act by voting on the following question:

“Do you favor a \$2,000,000 bond issue for safety improvements at the Baxter School for the Deaf?”

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 April 14, 1994

Intent and Content

This Act would authorize the State to issue bonds in an amount not to exceed \$2,000,000 to raise funds for safety improvements at the Baxter School for the Deaf. 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 by the Department of Education to make safety improvements at the Baxter School for the Deaf.

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 \$2,000,000 bond issue for safety improvements at the Baxter School for the Deaf.

A “NO” vote disapproves the bond issue.

Total Estimated Debt Service of \$2,288,000 of which Principal is \$2,000,000, Estimated Interest at 4.80% over 5 years is \$288,000.

Question 9: Bond Issue

Do you favor a \$10,000,000 bond issue for the improvement and expansion of fish hatcheries?

STATE OF MAINE

Chapter 90

Private and Special Laws

"An Act to Authorize a Department of Inland Fisheries and Wildlife Bond Issue of \$10,000,000 for Fish Hatcheries"

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 improvement and expansion of fish hatcheries.

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

Sec. 1. Authorization of bonds to provide for the improvement and expansion of fish hatcheries. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$10,000,000 to raise funds for the improvement and expansion of fish hatcheries 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 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 Department of Inland Fisheries and Wildlife for the improvement and expansion of fish hatcheries.

Sec. 6. Allocations from General Fund bond issue; improvements and expansion of fish hatcheries. The proceeds of the sale of bonds must be expended as designated in the following schedule.

**INLAND FISHERIES AND
WILDLIFE, DEPARTMENT OF**

Fisheries and Hatcheries

Operations \$10,000,000

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 general election; form of question; effective date. This Act must 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 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 general election, to vote on the acceptance or rejection of this Act by voting on the following question:

“Do you favor a \$10,000,000 bond issue for the improvement and expansion of fish hatcheries?”

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 April 15, 1994

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 improvement, expansion and operation of fish hatcheries. 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 by the Department of Inland Fisheries and Wildlife for the improvement, expansion and operation of fish hatcheries.

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 for the improvement, expansion and operation of fish hatcheries.

A “NO” vote disapproves the bond issue.

Total Estimated Debt Service of \$11,440,000 of which Principal is \$10,000,000, Estimated Interest at 4.80% over 5 years is \$1,440,000.