

MAINE STATE LEGISLATURE

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ELECTIONS → 1995
(NOV.)

**MAINE CITIZEN'S GUIDE TO THE
REFERENDUM ELECTION
STATE LAW LIBRARY
AUGUSTA, MAINE**

Tuesday, November 7, 1995



**In Accordance with
the July 17, 1995
Proclamation of the Governor
and with the Acts and Resolutions
Passed by the 11th Legislature
at the First Regular Session**

**Bill Diamond
Secretary of State**

Appropriation 010-29A-3213-012

OCT 24 1995



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

Dear Fellow Citizen,

All eligible Maine residents may vote in the referendum election on November 7, 1995. The information in this booklet is intended to help you learn about the issues so that you can make your own, well-informed decisions about how to vote.

Referendum elections are an important part of the heritage of public participation in Maine, so I hope you will help keep our democracy strong by voting. As President Franklin D. Roosevelt said:

“Let us never forget that government is *ourselves* and not an alien power over us. The ultimate rulers of our democracy are not a President and Senators and Congressmen and government officials, but the voters of this country.”

For information about how or where you vote, you may contact your local municipal clerk or call Maine's Division of Elections at 287-4186.

Now, enclosed in this booklet you will find:

- Each of the eight referendum questions.
- The legislation each question represents.
- A summary of the intent and content of the legislation.
- An explanation of the significance of a “yes” or “no” vote.
- An analysis of the debt service on each bond issue.

The Department of the Secretary of State, the State Treasurer and the Attorney General have worked together to prepare this booklet for you. We hope you find it helpful and, again, hope that you will vote in the November 7, 1995 referendum election.

Sincerely,

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

Bill Diamond
Secretary of State

STATE OF MAINE
Referendum Election, November 7, 1995
LISTING OF
REFERENDUM QUESTIONS

Question 1: Citizen Initiative

“Do you favor the changes in Maine law limiting protected classifications, in future state and local laws to race, color, sex, physical or mental disability, religion, age, ancestry, national origin, familial status, and marital status, and repealing existing laws which expand these classifications as proposed by citizen petition?”

Question 2: Bond Issue

“Do you favor a \$58,900,000 bond issue for economic development for improvements to highways, state and local bridges, airports and cargo ports that makes the State eligible for up to \$138,000,000 in matching federal funds?”

Total Estimated Debt Service of \$93,842,425 of which Principal is \$58,900,000, Estimated Interest at 5.65% over 20 years is \$34,942,425.

Question 3: Bond Issue

“Do you favor a \$15,000,000 bond issue to fund local telecommunications infrastructure and classroom technology equipment to enhance interactive telecommunications capabilities and student learning opportunities in the State’s schools?”

Total Estimated Debt Service of \$19,042,500 of which Principal is \$15,000,000, Estimated Interest at 4.90% over 10 years is \$4,042,500.

Question 4: Bond Issue

“Do you favor a \$4,000,000 bond issue for the acquisition, construction or rehabilitation of housing, including subsidized apartments for people with mental illness?”

Total Estimated Debt Service of \$4,528,000 of which Principal is \$4,000,000, Estimated Interest at 4.40% over 5 years is \$528,000.

Question 5: Bond Issue

“Do you favor a \$14,000,000 bond issue for the following purposes: \$10,000,000 to protect the State’s drinking water resources by granting funds to cities and towns for the proper capping of their solid waste landfills; \$1,000,000 for the small community program; and \$3,000,000 for the removal of state-owned underground storage tanks?”

Total Estimated Debt Service of \$17,773,000 of which Principal is \$14,000,000, Estimated Interest at 4.90% over 10 years is \$3,773,000.

Question 6: Constitutional Amendment

“Do you favor amending the Constitution of Maine to require sound funding of the Maine State Retirement System, to require paying off the current unfunded liability in 31 years and to prohibit the creation of new unfunded liabilities?”

Question 7: Constitutional Amendment

“Do you favor amending the Constitution of Maine to give the Governor a line-item veto over expenditures of state funds, providing that vetoed items may be passed over the Governor’s veto by a majority of all of the elected members of the Senate and the House of Representatives?”

Question 8: Referendum

“Do you favor requiring all persons to use safety belts in motor vehicles?”

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, 1995.

Bonds Outstanding and Unpaid to Mature Through 2008

Highway fund	\$136,950,000
General fund	<u>\$379,110,000</u>
Total	<u>\$516,060,000</u>

Interest to be Repaid on Bonds Issued

Highway fund	\$ 36,854,648
General fund	<u>\$ 88,968,068</u>
Total	<u>\$125,822,716</u>

Total to be Repaid on Bonds Issued	<u>\$641,882,716</u>
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Additional Bonds Authorized But Not Yet Issued	\$ 36,800,600
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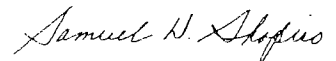
Limit of Contingent Bonds Liability Authorized by Constitution and Laws But Unissued	<u>\$ 99,000,000</u>
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Total Bonds Authorized But Unissued	<u>\$135,800,600</u>
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Total Additional Bonds to be Authorized if Ratified by Voters	\$ 91,900,000
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Potential New Estimate of Interest	\$ 43,285,925
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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 \$43,285,925 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 \$135,185,925. The amount that must be paid in the present fiscal year (July 1, 1995 to June 30, 1996) for debt already outstanding is \$77,070,000 in principal and \$26,978,950 in interest, a total of \$104,048,950.



Samuel D. Shapiro
Treasurer of State

Question 1: Citizen Initiative

"Do you favor the changes in Maine law limiting protected classification, in future state and local laws to race, color, sex, physical or mental disability, religion, age, ancestry, national origin, familial status, and marital status, and repealing existing laws which expand these classifications as 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 Limit Protected Classes Under Maine Law."

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

Sec. 1. 5 MRSA §4552-A is enacted to read:

§4552-A. Limitation of protected class status

Notwithstanding any provision of this chapter or any other provision of law, protected classes or suspect classifications under state or local human rights laws, rules, regulations, ordinances, charter provisions or policies are limited to race, color, sex, physical or mental disability, religion, age, ancestry, national origin, familial status, and marital status. Any provision of State or local law, rule, regulation, ordinance, charter provision or policy inconsistent with this section is void and unenforceable.

This section, being necessary for the welfare of the State and the inhabitants of Maine, shall be liberally construed to accomplish its purpose and is not to be interpreted or applied as a limitation or restriction on authority as enumerated in the Maine Constitution.

STATEMENT OF FACT

This initiated bill provides that protected classes under Maine law are limited to race, color, sex, physical or mental disability, religion, age, ancestry, national origin, familial status and marital status.

STATE OF MAINE

Proclamation

WHEREAS, written petitions bearing the signatures of 60,683 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 Seventeenth Legislature in the First Regular Session, requesting that the Legislature consider an act entitled "An Act to Limit Protected Classes Under Maine Law"; and

WHEREAS, on May 25, 1995 the Maine House of Representatives accepted the Unanimous Ought Not to Pass Report of the Joint Standing Committee on Judiciary on the initiated act, known as Legislative Document 310; and

WHEREAS, on May 25, 1995 the Maine Senate accepted the Unanimous Ought Not to Pass Report of the Joint Standing Committee on Judiciary on the initiated act, known as Legislative Document 310; 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, ANGUS S. KING, 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 7, 1995 so that "An Act to Limit Protected Classes Under Maine Law" be submitted to the people of this State for a referendum vote.



IN TESTIMONY WHEREOF, I have caused the Great Seal of the State to be hereunto affixed. Given under my hand at Augusta this seventeenth day of July in the year One Thousand Nine Hundred and Ninety-Five.

ANGUS S. KING, Jr.
Governor

BILL DIAMOND
Secretary of State

Intent and Content

This citizen initiated legislation would limit protected classes or suspect classifications in state or local human rights laws to the following: race, color, sex, physical or mental disability, religion, age, ancestry, national origin, familial status, and marital status. Any existing state or local law which protects any other class of persons, and any future local law which seeks to protect any other class of persons, would, under the initiated legislation, be void.

A "YES" vote approves the initiative question and limits protected classes or suspect classifications in future local laws to race, color, sex, physical or mental disability, religion, age, ancestry, national origin, familial status and marital status and repeals existing state and local laws which expand these classifications.

A "NO" vote disapproves the initiative question.

Question 2: Bond Issue

"Do you favor a \$58,900,000 bond issue for economic development for improvements to highways, state and local bridges, airports and cargo ports that makes the State eligible for up to \$138,000,000 in matching federal funds?"

STATE OF MAINE

Chapter 498

Public Laws of 1995

"An Act to Authorize Department of Transportation Bond Issues in the Amount of \$58,900,000 to Match up to \$138,000,000 in Federal Funds for Improvements to Highways, State and Local Bridges, Airports and Ports"

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, airport and port improvements.

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

PART A

Sec. A-1. Authorization of bonds to provide for highway, bridge, airport and port improvements. 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 \$58,900,000 to raise funds to match, in whole or in part, available federal funds for surface, port and air transportation 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. 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 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 Commissioner of Transportation.

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

TRANSPORTATION, DEPARTMENT OF

General Fund

Airport improvements	\$500,000	\$2,000,000
Cargo port improvements	7,000,000	8,000,000
Intermodal Transportation Improvements	1,250,000	1,250,000
Commercial Harbor Improvements		2,500,000
General Fund Total	<u>\$8,750,000</u>	<u>\$13,750,000</u>

Highway Fund

Highway and bridge improvements	\$25,400,000	\$6,000,000
Collector Road Improvement Fund		5,000,000
Highway Fund Total	<u>\$25,400,000</u>	<u>\$11,000,000</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 \$58,900,000 bond issue for economic development for improvements to highways, state and local bridges, airports and cargo ports that makes the State eligible for up to \$138,000,000 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 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.

Sec. B-1. 23 MRSA c. 19, sub-c. V-A is enacted to read:

SUBCHAPTER V-A

COLLECTOR ROAD IMPROVEMENT FUND

§1710. Establishment and administration

The Collector Road Improvement Fund, referred to in this subchapter as the "fund," is established to provide for the reconstruction and maintenance of collector roads. The Department of Transportation shall administer the fund. Allocation of funds must be awarded competitively based on guidelines developed by the department after public hearing. These guidelines must establish a process by which the department receives matching funds from public and private sources to support collector road improvements. The department may set aside any available federal funds into the fund. Local and federal contributions to the fund accrue for redistribution in subsequent program years and do not lapse.

For purposes of this subchapter, "collector roads" means those highways not included in the system of state highways that primarily serve as feeder routes connecting local service roads to the arterial state highway system.

Sec. B-2. Allocation from Highway Fund. There is allocated from the Highway Fund the sum of \$5,000,000 for fiscal year 1996-97 to the Collector Road Improvement Fund to carry out the purpose of this Part. Any unexpended balance may not lapse but must remain a continuing carrying account until the purpose of this Part has been accomplished.

Sec. B-3. Contingent upon ratification of bond issue. This Part does not take effect unless the bond issue under Part A of this Act is approved by the legal voters of the State.

Approved July 3, 1995

Intent and Content

This Act would authorize the State to issue bonds in an amount not to exceed \$58,900,000 to raise funds to match up to \$138,000,000 in federal funds for surface, port and air transportation improvements. The bonds would run for a period of not longer than 20 years from the date of issue and would be backed by the full faith and credit of the State.

The proceeds of the sale of the bonds would be expended by the State Department of Transportation and would be used to match federal funds for highway improvements (\$36,400,000), including \$5,000,000 for the improvement of collector roads; airport improvements (\$2,500,000); cargo port improvements (\$15,000,000); intermodal transportation improvements (\$2,500,000); and commercial harbor improvements (\$2,500,000).

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 \$58,900,000 bond issue for surface, port and air transportation improvements.

A "NO" vote disapproves the bond issue.

Total Estimated Debt Service of \$93,842,425 of which Principal is \$58,900,000, Estimated Interest at 5.65% over 20 years is \$34,942,425.

Question 3: Bond Issue

"Do you favor a \$15,000,000 bond issue to fund local telecommunications infrastructure and classroom technology equipment to enhance interactive telecommunications capabilities and student learning opportunities in the State's schools?"

STATE OF MAINE

Chapter 48

Private and Special Laws of 1995

"An Act Authorizing a General Fund Bond Issue in the Amount of \$15,000,000 to Expand Telecommunications Capabilities and Student Learning Opportunities in Maine Schools"

Preamble. Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine to provide funds for a distance learning network between the State's secondary education and higher education facilities.

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

Sec. 1. Authorization of bonds to provide access to and utilization of a statewide telecommunications network. 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 \$15,000,000 to raise funds for local technology infrastructure and purchase of classroom technology equipment for the State's public schools, applied technology centers and regions, and selected public libraries so that they might connect with and utilize a statewide telecommunications infrastructure of interactive fiber optic cable and ATM (asynchronous transfer mode) switching 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 Education.

Sec. 6. Allocations from General Fund bond issue; authorization of bonds to provide access to and utilization of a statewide telecommunications network. The proceeds of the sale of bonds must be expended as designated in the following schedule.

1995-96

EDUCATION, DEPARTMENT OF

Local access costs and one-time capital costs for classroom technology infrastructure and equipment

\$15,000,000

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 \$15,000,000 bond issue to fund local telecommunications infrastructure and classroom technology equipment to enhance interactive telecommunications capabilities and student learning opportunities in the State's schools?"

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 3, 1995

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 a distance learning network between the State's secondary education and higher education 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 Education for local access costs and one-time capital costs for the construction of local technology infrastructure and the purchase of classroom technology equipment for the State's public schools, applied technology centers and regions, and selected public libraries so that they might connect with and utilize a statewide telecommunications infrastructure of interactive fiber optic cable and ATM (asynchronous transfer mode) switching.

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 to raise funds for a distance learning network between the State's secondary education and higher education facilities.

A "NO" vote disapproves the bond issue.

Total Estimated Debt Service of \$19,042,500 of which Principal is \$15,000,000, Estimated Interest at 4.90% over 10 years is \$4,042,500.

Question 4: Bond Issue

"Do you favor a \$4,000,000 bond issue for the acquisition, construction or rehabilitation of housing, including subsidized apartments for people with mental illness?"

STATE OF MAINE

Chapter 47

Private and Special Laws of 1995

"An Act to Authorize a General Fund Bond Issue in the Amount of \$4,000,000 for Facilities Serving People with Mental Illness"

Preamble. Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine to provide funds for the acquisition, construction or rehabilitation of housing, including subsidized apartments for people with mental illness, in furtherance of the public policy goals of the State.

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

Sec. 1. Authorization of bonds to provide for the acquisition, construction or rehabilitation of housing, including subsidized apartments for people with mental illness. 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 the acquisition, construction or rehabilitation of housing, including subsidized apartments for people with mental illness, in furtherance of the public policy goals of the State 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 Maine State Housing Authority.

Sec. 6. Allocations from General Fund bond issue; low-interest loan funds. The proceeds of the sale of bonds must be expended as designated in the following schedule.

MAINE STATE HOUSING AUTHORITY

Acquisition, Construction or
Rehabilitation - Housing, including
Subsidized Apartments

All Other \$4,000,000

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 \$4,000,000 bond issue for the acquisition, construction or rehabilitation of housing, including subsidized apartments for people with mental illness?"

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 3, 1995

This Act would authorize the State to issue bonds in an amount not to exceed \$4,000,000 to raise funds for the acquisition, construction or rehabilitation of housing, including subsidized apartments, for people with mental illness. 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 State Housing Authority for the acquisition, construction or rehabilitation of housing, including subsidized apartments, for people with mental illness.

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

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

A "YES" vote approves the authorization of a \$4,000,000 bond issue for the acquisition, construction or rehabilitation of housing, including subsidized apartments, for people with mental illness.

A "NO" vote disapproves the bond issue.

Total Estimated Debt Service of \$4,528,000 of which Principal is \$4,000,000, Estimated Interest at 4.40% over 5 years is \$528,000.

Question 5: Bond Issue

"Do you favor a \$14,000,000 bond issue for the following purposes:\$10,000,000 to protect the State's drinking water resources by granting funds to cities and towns for the proper capping of their solid waste landfills; \$1,000,000 for the small community program; and \$3,000,000 for the removal of state-owned underground storage tanks?"

STATE OF MAINE

Chapter 45

Private and Special Laws of 1995

"An Act to Authorize a General Fund Bond Issue in the Amount of \$14,000,000 for Grants to Cities and Towns for the Proper Capping of Their Solid Waste Landfills, for Small Community Water Pollution Control Facilities and for the Removal of State-owned Underground Storage Tanks"

Preamble. Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine to provide funds for grants to cities and towns for the proper capping of their solid waste landfills, for small community water pollution control facilities and for the removal of state-owned underground storage tanks.

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

Sec. 1. Authorization of bonds to provide for grants to cities and towns for the proper capping of their solid waste landfills, for small community water pollution control facilities and for the removal of state-owned underground storage tanks. 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 \$14,000,000 to raise funds for grants to cities and towns for the proper capping of their solid waste landfills, for small community water pollution control facilities and for the removal of state-owned underground storage tanks 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 Administrative and Financial Services for the removal of state-owned underground storage tanks and the Department of Environmental Protection

for grants to cities and towns for the proper capping of their solid waste landfills and for small community water pollution control facilities.

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

1995-96

**ADMINISTRATIVE AND FINANCIAL SERVICES
DEPARTMENT OF**

Removal of State-owned Underground Storage Tanks	\$3,000,000
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**DEPARTMENT OF ADMINISTRATIVE AND
FINANCIAL SERVICES
TOTAL**

\$3,000,000

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

Site Evaluation and Planning Program	\$ 4,000,000
Municipal Implementation Grants Program	6,000,000
Small Community Program	1,000,000

**DEPARTMENT OF ENVIRONMENTAL
PROTECTION
TOTAL**

\$11,000,000

TOTAL ALLOCATIONS

\$14,000,000

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 \$14,000,000 bond issue for the following purposes: \$10,000,000 to protect the State's drinking water resources by granting funds to cities and towns for the proper capping of their solid waste landfills; \$1,000,000 for the small community program; and \$3,000,000 for the removal of state-owned underground storage tanks?"

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 3, 1995

Intent and Content

This Act would authorize the State to issue bonds in an amount not to exceed \$14,000,000 to raise funds for grants to cities and towns for the proper capping of their solid waste landfills, for small community water pollution control facilities and for the removal of state-owned underground storage tanks. The bonds would run for a period of not longer than 10 years and would be backed by the full faith and credit of the State.

The proceeds of the sale of the bonds would be expended under the direction of the Department of Environmental Protection for its Municipal Implementation Grants Program (\$6,000,000), Site Evaluation and Planning Program (\$4,000,000), and Small Community Program (\$1,000,000); and under the direction of the Department of Administrative and Financial Services for the removal of state-owned underground storage tanks (\$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 the authorization of a \$14,000,000 bond issue for grants to cities and towns for the proper capping of their solid waste landfills, for small community water pollution control facilities and for the removal of state-owned underground storage tanks.

A "NO" vote disapproves the bond issue.

Total Estimated Debt Service of \$17,773,000 of which Principal is \$14,000,000, Estimated Interest at 4.90% over 10 years is \$3,773,000.

Question 6: Constitutional Amendment

"Do you favor amending the Constitution of Maine to require sound funding of the Maine State Retirement System, to require paying off the current unfunded liability in 31 years and to prohibit the creation of new unfunded liabilities?"

STATE OF MAINE

Chapter 2

Constitutional Resolutions of 1995

"RESOLUTION, Proposing an Amendment to the Constitution of Maine to Maintain the Current Amortization Schedule for Unfunded Liabilities and to Prohibit Future Unfunded Liabilities of the Maine State Retirement System"

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-A and 18-B are enacted to read:

Section 18-A. Funding of retirement benefits under the Maine State Retirement System. Beginning with the fiscal year starting July 1, 1997, the normal cost of all retirement and ancillary benefits provided to participants under the Maine State Retirement System must be funded annually on an actuarially sound basis. Unfunded liabilities may not be created except those resulting from experience losses. Unfunded liability resulting from experience losses must be retired over a period not exceeding 10 years.

Section 18-B. Payment of unfunded liabilities of the Maine State Retirement System. Each fiscal year beginning with the fiscal year starting July 1, 1997, the Legislature shall appropriate funds that will retire in 31 years or less the unfunded liabilities of the Maine State Retirement System that are attributable to state employees and teachers. The unfunded liabilities referred to in this section are those determined by the Maine State Retirement System's actuaries and certified by the Board of Trustees of the Maine State Retirement System as of June 30, 1996.

;and be it further

Constitutional referendum procedure; form of question; effective date. Resolved: That 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, 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:

"Do you favor amending the Constitution of Maine to require sound funding of the Maine State Retirement System, to require paying off the current unfunded liability in 31 years and to prohibit the creation of new unfunded liabilities?"

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 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 votes are cast in favor of the amendment, the Governor shall proclaim that fact without delay and the amendment becomes 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 purpose of this referendum.

Resolution according to Article X, Section 4 of the Constitution of the State of Maine. June 30, 1995.

Intent and Content

This proposed constitutional amendment would require that, beginning with the fiscal year starting July 1, 1997, the retirement costs of participants in the Maine State Retirement System (state employees, public school teachers and employees of participating local units of government) be funded on an actuarially sound basis, except for experience losses (which must be retired over a period not exceeding 10 years).

The amendment would also require the Legislature, beginning with the fiscal year starting July 1, 1997, to appropriate funds to retire, in 31 years or less, the existing unfunded liability attributable to state employees and teachers, as certified on June 30, 1996 by the Board of Trustees of the Maine State Retirement System.

A "YES" vote approves the constitutional resolution and requires actuarially sound funding of the Maine State Retirement System, requires paying off the current unfunded liability in 31 years and prohibits the creation of new unfunded liabilities.

A "NO" vote disapproves the constitutional resolutions.

Question 7: Constitutional Amendment

"Do you favor amending the Constitution of Maine to give the Governor a line-item veto over expenditures of state funds, providing that vetoed items may be passed over the Governor's veto by a majority of all of the elected members of the Senate and the House or Representatives?"

STATE OF MAINE

Chapter 1

Constitutional Resolutions of 1995

"RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish a Line-item Veto"

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

Constitution, Art. IV, Part Third, §2-A is enacted to read:

Section 2-A. Line-item veto of dollar amounts appearing in appropriation or allocation sections of legislative documents. The Governor has power to disapprove any dollar amount appearing in an appropriation section or allocation section, or both, of an enacted legislative document. Unless the Governor exercises the line-item veto power authorized in this section no later than one day after receiving for signature the enacted legislation, the powers of the Governor as set out in section 2 apply to the entire enacted legislation. For any disapproved dollar amount, the Governor shall replace the dollar amount with one that does not result in an increase in an appropriation or allocation or a decrease in a deappropriation or deallocation. When disapproving a dollar amount pursuant to this section, the Governor may not propose an increase in an appropriation or allocation elsewhere in the legislative document. The Governor shall specify the distinct dollar amounts that are revised, and the part or parts of the legislative document not specifically revised become law. The dollar amounts in an appropriation or allocation that have been disapproved become law as revised by the Governor, unless passed over the Governor's veto by the Legislature as the dollar amounts originally appeared in the enacted bill as presented to the Governor; except that, notwithstanding any other provision of this Constitution for dollar amounts vetoed pursuant to this section, a majority of all the elected members in each House is sufficient to override the veto, and each dollar amount vetoed must be voted on separately to override the veto. Except as provided in this section, the Governor may not disapprove, omit or modify any language allocated to the statutes or appearing in an unallocated section of law.

; and be it further

Constitutional referendum procedure; form of question; effective date. Resolved: That 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, 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:

"Do you favor amending the Constitution of Maine to give the Governor a line-item veto over expenditures of state funds, providing that vetoed items may be passed over the Governor's veto by a majority of all of the elected members of the Senate and the House of Representatives?"

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 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 votes are cast in favor of the amendment, the Governor shall proclaim that fact without delay and the amendment becomes 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 purpose of this referendum.

Resolution according to Article X, Section 4 of the Constitution of the State of Maine. June 6, 1995.

Intent and Content

This proposed constitutional amendment would empower the Governor to decrease, or disapprove entirely, any dollar amount appearing in any appropriation or allocation bill enacted by the Legislature, so long as the Governor does so within one day after receiving the enacted bill. If the Governor decreases or disapproves any such dollar amount, the remainder of the bill shall become law; and the Legislature is empowered, voting separately on each dollar amount decreased or disapproved, to override the Governor's action by a majority of those elected to each House, rather than the two-thirds majority generally required to override a veto. The proposed amendment also expressly provides that the Governor may not alter the text of any bill enacted by the Legislature.

A "YES" vote approves the constitutional resolution and gives the Governor a line-item veto over specific expenditures of state funds providing that vetoed items may be overridden by a majority of those elected to each House of the Legislature.

A "NO" vote disapproves the constitutional resolution.

Question 8: Referendum

"Do you favor requiring all persons to use safety belts in motor vehicles?"

STATE OF MAINE

Chapter 432

Public Laws of 1995

"An Act to Require All Persons to Use Safety Belts in Motor Vehicles"

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

Sec. 1. 29-A MRSA §2081, sub-§3, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

Sec. 2. 29-A MRSA §2081, sub-§3-A is enacted to read:

3-A. Other passengers; operators. When a person 4 years of age or older is a passenger in a vehicle that is required by the United States Department of Transportation to be equipped with seat belts, the operator must have the person properly secured in a seat belt. The operator of a vehicle that is required by the United States Department of Transportation to be equipped with seat belts must be secured in the operator's seat belt.

Sec. 3. 29-A MRSA §2081, sub- §4, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

4. Enforcement. The following provisions apply to subsections 2 and ~~3~~ **3-A**.

A. The requirements do not apply to a passenger over one year of age when the number of passengers exceeds the vehicle seating capacity and all of the seat belts are in use.

A-1. The requirements of subsection 3-A do not apply to a driver or passenger who has a medical condition that, in the opinion of a physician, warrants an exemption from the requirements of subsection 3-A and that medical condition and opinion are documented by a certificate from that physician. That certificate is valid for 5 years.

B. A person against whom enforcement action has been taken is not guilty of a subsequent violation of subsection 2 until 24 hours have elapsed from the date and time of the first violation indicated on the Violation Summons and Complaint.

C. A violation of ~~this section~~ subsection 2 is a traffic infraction. The court shall waive the fine for a first violation of subsection 2 by a parent or legal guardian if the parent or legal guardian provides the court with satisfactory evidence that the parent or legal guardian has acquired a child safety seat for continuous use by the child within 30 days of the violation.

D. A violation of subsection 3-A is a traffic infraction. The fine for a violation of subsection 3-A may not be less than \$25 nor more than \$50.

E. Subsection 3-A may be enforced only if a law enforcement officer has detained the operator of a motor vehicle for a suspected violation of another law. An operator is not subject to the penalty established in paragraph D unless the operator is required to pay a fine for the primary violation.

Sec. 4. 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 requiring all persons to use safety belts in motor vehicles?"

The legal voters of each city, town and plantation shall vote by ballot on this question and shall designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots 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 votes are cast in favor of the Act, the Governor shall proclaim that fact without delay, and the Act takes effect 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 3, 1995

Intent and Content

This referendum, authorized by the Legislature, would require that seat belts be worn by operators and passengers in motor vehicles required by federal law to be equipped with seat belts. Current law limits this requirement to persons under the age of 19. The proposed legislation contains an exemption for a person with a doctor's certificate that a medical condition prevents that person from wearing a seat belt, and specifies that a violation of the seat belt requirement is a traffic infraction, punishable by a civil penalty of between \$25 and \$50, which may not be imposed except in conjunction with a violation of another law.

A "YES" vote approves the referendum and requires all persons to use safety belts in motor vehicles.

A "NO" vote disapproves the referendum.