

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

VF

C.1

ELECTIONS - 1999
(NOV.)

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

Tuesday, November 2, 1999



LAW & LEGISLATIVE
REFERENCE LIBRARY
43 STATE HOUSE STATION
AUGUSTA, ME 04333

**In Accordance with
the June 23, 1999
Proclamations of the Governor
and the Acts and Resolutions Passed
by the 119th Legislature at the
First Regular Session**

**Dan A. Gwadosky
Secretary of State**

Appropriation 010-29A-4213-012



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

Dear Fellow Citizen,

All eligible Maine residents may vote in the referendum election on November 2, 1999. 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.

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 9 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 that you will vote in the November 2, 1999, referendum election.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan A. Gwadosky".

Dan A. Gwadosky
Secretary of State

STATE OF MAINE
Referendum Election, November 2, 1999
LISTING OF REFERENDUM QUESTIONS

Question 1: Citizen Initiative

Do you want to ban a specific abortion procedure to be defined in law, except in cases where the life of the mother is in danger?

Question 2: Citizen Initiative

Do you want to allow patients with specific illnesses to grow and use small amounts of marijuana for treatment, as long as such use is approved by a doctor?

Question 3: Bond Issue

Do you favor a \$56,042,031 bond issue for improvements to highways and bridges, airports and state-owned ferry facilities; development of rail corridors and marine infrastructure; and replacement of public transportation fleets statewide that makes the State eligible for up to \$112,000,000 in matching federal funds?

Question 4: Bond Issue

Do you favor a \$12,500,000 bond issue for the following purposes:

- (1) \$7,000,000 to construct water pollution control facilities, providing the state match for \$12,500,000 in federal funds;
- (2) \$2,500,000 to protect the State's drinking water resources by granting funds to cities and towns for the closure and cleanup of their solid waste landfills;
- (3) \$500,000 to protect the public health, safety and the environment by providing funds for the cleanup of tire stockpiles;
- (4) \$1,000,000 to abate, clean up and mitigate threats to the public health and environment from uncontrolled hazardous substance sites or other hazardous waste discharges; and
- (5) \$1,500,000 to construct drinking water system improvements that address public health threats, providing the state match for \$7,500,000 in federal funds.

Question 5: Bond Issue

Do you favor a \$9,400,000 bond issue for the conversion to digital broadcasting by the Maine Public Broadcasting Corporation?

Question 6: Bond Issue

Do you favor a \$26,420,000 bond issue for infrastructure improvements at Maine's 7 technical colleges that must be matched by at least \$7,000,000 of private or in-kind donations?

Question 7: Bond Issue

Do you favor a \$50,000,000 bond issue to purchase public lands and easements statewide from willing sellers for conservation, water access, outdoor recreation, including hunting and fishing, wildlife and fish habitat and farmland preservation, to be matched by \$25,000,000 in private and public contributions?

Question 8: Constitutional Amendment

Do you favor amending the Constitution of Maine to require that a petition for a people's veto be voted on at the next statewide or general election, rather than at a special election?

Question 9: Constitutional Amendment

Do you favor amending the Constitution of Maine to allow for reduced property taxes on property that will be maintained for historic preservation or for scenic views of significant vistas?

TREASURER'S STATEMENT

The State of Maine borrows money by issuing bonds. Bonds spread the payments for projects over their useful life so that all benefiting from the projects pay for them. Bonding is a multi-step process which can generally be described as follows: 1. The Legislature decides which projects it believes should be funded from bond proceeds (money acquired from the sale of bonds) and puts the projects out for voter approval as required by the State Constitution. 2. The voters, at a statewide election, approve or reject each proposed project. 3. The State Treasurer issues bonds to pay for those projects approved by the voters or otherwise authorized by the Constitution. A person or institution purchasing the bonds is, in effect, loaning the State of Maine money in return for interest payments during the term of the bond. 4. The Treasurer distributes the money acquired from the sale of bonds in accordance with the legislation authorizing bonds for approved projects. 5. The Treasurer pays interest twice yearly to bond purchasers until the maturity date when the Treasurer pays them principal as well.

The following is a summary of the bond debt of the State of Maine as of June 30, 1999.

Bonds Outstanding (Issued and Maturing Through 2009):	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
Highway fund	\$133,700,000	\$26,421,856	\$160,121,856
General fund	\$335,840,000	\$65,519,360	\$401,359,360
Total	\$469,540,000	\$91,941,216	\$561,481,216
 Unissued Bonds			
Authorized by Voters:	\$ 46,505,316		
 Unissued Bonds Authorized by the Constitution and Laws:	<u>\$ 99,000,000</u>		
 Total Unissued Bonds:	\$145,505,316		
 The Total Amount That Must Be Paid in the Present Fiscal Year for Debt Already Outstanding (7/1/99-6/30/00)	\$ 82,455,000	\$ 24,444,576	\$106,899,576

If the bonds submitted here are approved by voters and issued for the full statutory period authorized, an estimate of the total interest and principal that may reasonably be expected to be paid is \$222,259,057 representing \$154,362,031 in principal and \$67,897,026 in interest.



DALE McCORMICK
TREASURER OF STATE

Question 1: Citizen Initiative

Do you want to ban a specific abortion procedure to be defined in law, except in cases where the life of the mother is in danger?

STATE OF MAINE

“An Act to Ban Partial Birth Abortion”

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

Sec. I. 22 MRSA §1597-B is enacted to read:

§1597-B. Partial-birth abortions prohibited

1. Definitions. As used in this section the following terms have the following meanings.

A. “Abortion” means the intentional interruption of a pregnancy by the application of external agents, whether chemical or physical, or by the ingestion of chemical agents with an intention other than to produce a live birth or to remove a dead fetus.

B. “Partial-birth abortion” means an abortion in which the physician performing the abortion partially vaginally delivers a living fetus before killing the fetus and completing the delivery.

C. “Partially vaginally delivers a living fetus before killing the fetus” means deliberately and intentionally delivering into the vagina a living fetus, or a substantial portion of a living fetus, for the purpose of performing a procedure the physician knows will kill the fetus, and kills the fetus.

2. Partial-birth abortions prohibited; exception. A physician may not knowingly perform a partial-birth abortion and thereby kill a human fetus. This prohibition does not apply to a partial-birth abortion that is necessary to save the life of a mother whose life is endangered by a physical disorder, illness or injury.

3. Criminal liability. A physician who violates this section:

A. Commits a Class D crime; and

B. Is subject to damages awarded in a civil action under subsection 4.

4. Civil action. The father, if married to the mother at the time she receives the partial-birth abortion procedure, and the maternal grandparents of the fetus, if the mother has not attained the age of 18 years at the time of the abortion, may in a civil action obtain appropriate relief unless the pregnancy resulted from the plaintiff’s criminal conduct or the plaintiff consented to the abortion. Appropriate relief shall include:

A. Money damages for all injuries, psychological and physical, occasioned by the violation of this section; and

B. Statutory damages equal to 3 times the cost of the partial-birth abortion.

5. **Hearing.** A physician accused of an offense under this section may seek a hearing before the Board of Licensure in Medicine or the Board of Osteopathic Licensure, as applicable, on whether the physician's conduct was necessary to save the life of the mother whose life was endangered by a physical disorder, illness or injury. The findings on that issue are admissible on that issue at the trial of the physician. Upon a motion of the physician, the court shall delay the beginning of the trial for not more than 30 days to permit such a hearing to take place.

6. **Immunity.** A woman upon whom a partial-birth abortion is performed may not be prosecuted under this section for a conspiracy to violate this section or for an offense under section 1597-A or 1598 based on a violation of this section.

Sec. 2. 22 MRSA §1598, sub-§1, as amended by PL 1993, c. 61, §2, is further amended to read:

1. **Policy.** It is the public policy of the State that the State not restrict a woman's exercise of her private decision to terminate a pregnancy before viability except as provided in section 1597-A. After viability an abortion may be performed only when it is necessary to preserve the life or health of the mother or, in the case of a partial-birth abortion, when permitted under section 1597-B, subsection 2. It is also the public policy of the State that all abortions may be performed only by a physician.

Sec. 3. 22 MRSA §1598, sub-§4, as enacted by PL 1979, c. 405, §2, is amended to read:

4. **Abortions after viability; criminal liability.** ~~A~~ Except as provided in section 1597-B, a person who performs an abortion after viability is guilty of a Class D crime if:

- A. ~~He~~ That person knowingly disregarded the viability of the fetus; and
- B. ~~He~~ That person knew that the abortion was not necessary for the preservation of the life or health of the mother.

SUMMARY

This initiated bill prohibits partial-birth abortions except when such an abortion is necessary to save the life of the mother. Performance of a partial-birth abortion in violation of the provisions of this initiated bill is a Class D crime. In addition, the physician performing the abortion is subject to damages in a civil suit. The mother may not be prosecuted.

State of Maine



WHEREAS, written petitions bearing the signatures of 82,372 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 on or before the fiftieth day after the convening of the One Hundred and Nineteenth Legislature in the First Regular Session, requesting that the Legislature consider an act entitled "An Act to Ban Partial Birth Abortion"; and

WHEREAS, the Secretary of State duly certified the initiative petition to be valid and submitted the measure to the Legislature in accordance with the provisions of Article IV, Part Third, Section 18, of the Constitution of Maine; and

WHEREAS, the initiated act, known as Legislative Document 1593 was referred to the Joint Standing Committee on Judiciary for public hearing held on April 15, 1999; and

WHEREAS, on May 21 1999, Legislative Document 1593, died between the Houses for lack of concurrence; and

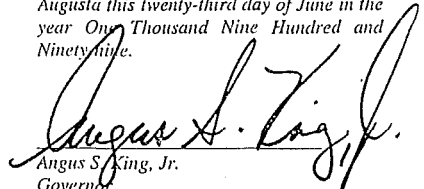
WHEREAS, Article IV, Part Third, Section 18, of the Maine Constitution provides that the Governor shall, by proclamation, order an initiated bill proposed to, but not enacted by, the Legislature without change to the people for referendum in November within 10 days following the recess of the Legislature to which the measure was proposed; and

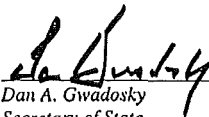
WHEREAS, under the provisions of Article IV, Part Third, Section 18, an election must be held in November of the year in which the petition is filed by proclamation;

NOW THEREFORE, I, ANGUS S. KING, Jr., Governor of the State of Maine, acting under the provisions of Article IV, Part Third, Section 18 of the Constitution of Maine, do hereby proclaim that an election shall be called for Tuesday, November 2, 1999, so that "An Act to Ban Partial Birth Abortion" be submitted to the people of this State for a referendum vote.



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


Angus S. King, Jr.
Governor


Dan A. Gwadosky
Secretary of State

INTENT AND CONTENT

The initiated legislation would amend Maine's Abortion laws to make it unlawful for a physician to perform a partial-birth abortion, as defined in the legislation. The legislation's prohibition does not apply to a partial-birth abortion if it is necessary to save the life of the mother if a physical disorder, illness or injury endangers her life. A physician who performs a partial-birth abortion is guilty of a Class D crime and subject to civil damages. The mother may not be prosecuted.

If approved, the Act would take effect 30 days after the proclamation of the vote.

A "YES" vote is in favor of the initiative and approves the legislation.

A "NO" vote is in opposition to the initiative and disapproves the legislation.

Question 2: Citizen Initiative

Do you want to allow patients with specific illnesses to grow and use small amounts of marijuana for treatment, as long as such use is approved by a doctor?

STATE OF MAINE

“An Act to Permit the Medical Use of Marijuana.”

Preamble. The People of the State of Maine declare their purposes and intent in enacting the Maine Medical Marijuana Act of 1998 to be the following:

Use of marijuana has been found to provide important therapeutic and palliative benefits to many patients who suffer from debilitating conditions resulting from certain diseases or treatment of these diseases. Patients should be allowed to use small amounts of marijuana without civil or criminal penalties when their doctors advise that such use may provide a medical benefit to them and when other reasonable restrictions are met regarding that use.

This Act is intended to permit patients who may benefit from the medical use of marijuana to be able to discuss freely with their physicians the possible risks and benefits of medical marijuana use and to have the benefit of their physicians' professional advice.

Persons who have been legally designated as care givers to medically needy patients should not be in violation of civil or criminal laws when they assist these patients in using permissible amounts of marijuana.

As there is currently no legally available supply of marijuana for medically needy patients, these patients or their care givers should be allowed to grow a small amount of marijuana to meet the patient's medical requirements.

Enactment of this Act is intended to make only those changes to existing Maine laws that are necessary to allow use of marijuana by medically needy patients, and is not intended to change current civil and criminal laws governing the use of marijuana for nonmedical purposes.

Enactment of this Act is not intended to permit use of marijuana in public places nor change any laws governing the duty of care owed to others, including laws governing operating a motor vehicle.

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

Sec. 1. 15 MRSA §3103, sub-§1, ¶B, as amended by PL 1977, c. 664, §11, is further amended to read:

B. The possession of a useable amount of marijuana, as provided in Title 22, section 2383, unless the juvenile is authorized to possess marijuana for medical use pursuant to Title 22, section 2383-B, subsection 5;

Sec. 2. 15 MRSA §5821, first ¶, as enacted by PL 1987, c. 420, §2, is amended to read:

The Except as provided in section 5821-A, the following shall be are subject to forfeiture to the State and no property right may exist in them:

Sec. 3. 15 MRSA §5821-A is enacted to read:

§5821-A. Property not subject to forfeiture based on medical use of marijuana

Beginning January 1, 1999, property is not subject to forfeiture under this chapter if the activity that subjects the person's property to forfeiture is possession of marijuana and the person meets the requirements for medical use of marijuana under Title 22, section 2383-B, subsection 5.

Sec. 4. 17-A MRSA §1111-A, sub-§1, as amended by PL 1981, c. 531, §§1 to 3, is further amended by amending the first paragraph to read:

1. As used in this section, the term “drug paraphernalia” means all equipment, products and materials of any kind ~~which~~ that are used or intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a scheduled drug in violation of this chapter or Title 22, section 2383, except that this section does not apply to a person who is authorized to possess marijuana for medical use pursuant to Title 22, section 2383-B, subsection 5, to the extent the drug paraphernalia is required for that person's medical use of marijuana. It includes, but is not limited to:

Sec. 5. 17-A MRSA §1111-A, sub-§4, as enacted by PL 1981, c. 266, is amended to read:

4. It is unlawful for any person to use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a scheduled drug in violation of this chapter or Title 22, section 2383, except that this subsection does not apply to a person who is authorized to possess marijuana for medical use pursuant to Title 22, section 2383-B, subsection 5, to the extent the drug paraphernalia is required for that person's medical use of marijuana.

Sec. 6. 22 MRSA §2383, sub-§1, as amended by PL 1989, c. 344, §3, is further amended to read:

1. Marijuana. Possession Except as provided in section 2383-B, subsection 5, possession of a usable amount of marijuana is a civil violation for which a forfeiture of not less than \$200 nor more than \$400 ~~shall~~ must be adjudged for the first offense. A forfeiture of \$400 ~~shall~~ must be adjudged for the 2nd and subsequent offenses within a 6-year period.

Sec. 7. 22 MRSA §2383-B, sub-§3, ¶¶A-1 and A-2 are enacted to read:

A-1. “Designated care giver” means a person over 18 years of age who:

(1) Is a family member or other person who has consistently assumed responsibility for a person's housing, health or safety; and

(2) Is named in a written individual instruction or power of attorney for health care as defined in Title 18-A, section 5-801 by, or is the parent or legal guardian of, a person authorized to possess marijuana for medical use pursuant to subsection 5.

A-2. “Eligible patient” means a person authorized to possess marijuana for medical use pursuant to subsection 5.

Sec. 8. 22 MRSA §2383-B, sub-§3, ¶B-1 is enacted to read:

B-1. "Physician" means a person licensed as an osteopathic physician by the board of Osteopathic Licensure pursuant to Title 32, chapter 36 or a person licensed as a physician or surgeon by the Board of Licensure in Medicine pursuant to Title 32, chapter 48.

Sec. 9. 22 MRSA §2383-B, sub-§3, ¶E is enacted to read:

E. "Usable amount of marijuana for medical use" means 1 ¼ ounces or less of harvested marijuana and a total of 6 plants, of which no more than 3 may be mature, flowering plants.

Sec. 10. 22 MRSA §2383-B, sub-§5 is enacted to read:

5. Medical use of marijuana; exemptions. The following provisions govern the medical use of marijuana.

A. Notwithstanding any other provision of law, a person who is at least 18 years of age may lawfully possess a usable amount of marijuana for medical use if, at the time of that possession, the person has available an authenticated copy of a medical record or other written documentation from a physician, demonstrating that:

(1) The person has been diagnosed by a physician as suffering from one or more of the following conditions:

(a) Persistent nausea, vomiting, wasting syndrome or loss of appetite as a result of:

(i) Acquired immune deficiency syndrome or the treatment thereof; or

(ii) Chemotherapy or radiation therapy used to treat cancer;

(b) Heightened intraocular pressure as a result of glaucoma;

(c) Seizures associated with a chronic, debilitating disease, such as epilepsy; or

(d) Persistent muscle spasms associated with a chronic, debilitating disease, such as multiple sclerosis;

(2) A physician, in the context of a bona fide physician-patient relationship with the person:

(a) Has discussed with the person the possible health risks and therapeutic or palliative benefits of the medical use of marijuana to relieve pain or alleviate symptoms of the person's condition, based on information known to the physician, including, but not limited to, clinical studies or anecdotal evidence reported in medical literature or observations or information concerning the use of marijuana by other patients with the same or similar conditions;

(b) Has provided the person with the physician's professional opinion concerning the possible balance of risks and benefits of the medical use of marijuana to relieve pain or alleviate symptoms in the person's particular case; and

(c) Has advised the person, on the basis of the physician's knowledge of the person's medical history and condition, that the person might benefit from the medical use of marijuana to relieve pain or alleviate symptoms of the person's condition;

(3) The person has disclosed to the physician that person's medical use of marijuana; and

(4) The person is under the continuing care of the physician.

B. A person under 18 years of age may lawfully possess a usable amount of marijuana for medical use if:

(1) The person meets the requirements of paragraph A, subparagraphs (1) to (4); and

(2) The person:

(a) Has available a signed written authorization from that person's parent or legal guardian consenting to that person's medical use of marijuana; or

(b) Is a minor who is entitled to give consent to all medical and other health care services pursuant to Title 22, section 1503.

C. Notwithstanding any other provision of law, a designated care giver may lawfully possess a usable amount of marijuana for medical use by an eligible patient if the designated care giver is acting within the scope of the designated care giver's duties to the eligible patient.

D. The fact that a person produces documentation described in paragraph A does not constitute a waiver of the physician-patient privilege in any other respect.

E. A physician who, in the context of a bona fide physician-patient relationship, advises a patient that the patient might benefit from the medical use of marijuana may not be deemed to have violated any provision of Title 32, section 2591-A, subsection 2 or section 3282-A, subsection 2.

F. Notwithstanding the provisions of paragraph A, medical use of marijuana by an eligible patient is not authorized by this section if such use occurs in a public place or in a workplace where such use is not permitted.

1998. **Sec. 11. Title.** This Act may be known as the Maine Medical Marijuana Act of

SUMMARY

This initiated bill makes the following changes to the laws governing the possession and use of marijuana.

1. It authorizes an eligible patient diagnosed with one or more specified debilitating conditions, including cancer and acquired immune deficiency syndrome, to use marijuana for medical purposes when a physician determines that the patient might benefit from marijuana use and when other requirements are met.

2. It limits the amount of marijuana that an eligible medical patient may possess without violating civil or criminal laws to no more than 1 ¼ ounces of harvested marijuana and 6 marijuana plants, of which not more than 3 may be mature flowering plants.

3. It allows a person who is legally designated to care for an eligible medical patient to assist that patient in using marijuana for medical purposes.

4. For a person under 18 years of age, it authorizes medical use of marijuana only if both the listed medical eligibility requirements have been met and a parent or legal guardian has given written consent to this use or the person is entitled to consent to all health care services pursuant to law.

5. It prohibits medical use of marijuana by an eligible patient in a public place or in a workplace where this use is not permitted.

State of Maine



WHEREAS, written petitions bearing the signatures of 47,406 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 on or before the fiftieth day after the convening of the One Hundred and Nineteenth Legislature in the First Regular Session, requesting that the Legislature consider an act entitled "An Act to Permit the Medical Use of Marijuana"; and

WHEREAS, the Secretary of State duly certified the initiative petition to be valid and submitted the measure to the Legislature in accordance with the provisions of Article IV, Part Third, Section 18, of the Constitution of Maine; and

WHEREAS, the initiated act, known as Legislative Document 2109 was referred to the Joint Standing Committee on Health and Human Services for public hearing on April 14, 1999; and

WHEREAS, on May 3, 1999, the Maine House of Representatives accepted the Majority Ought Not to Pass Report and on May 4, 1999, the Maine Senate accepted the Majority Ought Not to Pass Report and thus the legislation failed enactment; and

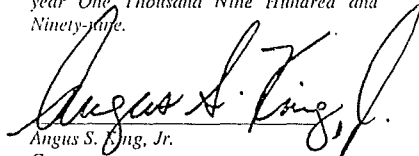
WHEREAS, Article IV, Part Third, Section 18, of the Maine Constitution provides that the Governor shall, by proclamation, order an initiated bill proposed to, but not enacted by, the Legislature without change to the people for referendum in November within 10 days following the recess of the Legislature to which the measure was proposed; and

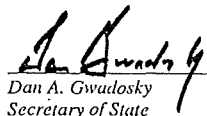
WHEREAS, under the provisions of Article IV, Part Third, Section 18, an election must be held in November of the year in which the petition is filed by proclamation;

NOW THEREFORE, I, ANGUS S. KING, Jr., Governor of the State of Maine, acting under the provisions of Article IV, Part Third, Section 18 of the Constitution of Maine, do hereby proclaim that an election shall be called for Tuesday, November 2, 1999, so that "An Act to Permit the Medical Use of Marijuana" be submitted to the people of this State for a referendum vote.



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


Angus S. King, Jr.
Governor


Dan A. Gwadosky
Secretary of State

INTENT AND CONTENT

The Act to Permit the Medical Use of Marijuana authorizes an individual suffering from debilitating conditions to be able to treat the illness or its side effects with the use of marijuana. In order for the patient to be eligible to use the marijuana, the patient's physician would have to determine that the patient might benefit from marijuana use. A patient with physician authorization will not be able to possess an amount greater than 1 ¼ ounces of harvested marijuana and 6 marijuana plants, of which no more than 3 may be mature, flowering plants. A patient under 18 years of age will have to obtain parental consent for such use. Maine's current civil and criminal statutes pertaining to the use of marijuana will be amended to allow for the medical exception. The Act would not allow the medical use of marijuana by an eligible individual in a public place or in a work place where such use is not permitted.

If approved, the Act would take effect 30 days after the proclamation of the vote.

A "YES" vote is in favor of the initiative and approves the legislation.

A "NO" vote is in opposition to the initiative and disapproves the legislation.

Question 3: Bond Issue

Do you favor a \$56,042,031 bond issue for improvements to highways and bridges, airports and state-owned ferry facilities; development of rail corridors and marine infrastructure; and replacement of public transportation fleets statewide that makes the State eligible for up to \$112,000,000 in matching federal funds?

STATE OF MAINE

Chapter 37

Private & Special Laws of 1999

Approved June 10, 1999

“An Act to Authorize Department of Transportation Bond Issues in the Amount \$56,042,031 to Match Available Federal Funds for Improvements to Highways and Bridges, Airports and State-owned Ferry Facilities; Development of Rail Corridors and Marine Infrastructure; and Replacement of Public Transportation Fleets Statewide”

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 improvements to highways and bridges, airports and state-owned ferry facilities; development of rail corridors and marine infrastructure; and replacement of public transportation fleets statewide.

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

Sec. 1. Authorization of bonds to provide for improvements to highways and bridges, airports and state-owned ferry facilities; development of rail corridors and marine infrastructure; and replacement of public transportation fleets statewide. 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 \$56,042,031 to provide funds to match available federal funds for improvements to highways and bridges, airports and state-owned ferry facilities; development of rail corridors and marine infrastructure; and replacement of public transportation fleets statewide, as authorized by section 6 of this Act. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 20 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature.

Sec. 2. Records of bonds issued to be kept by the 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 of this Act 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 of this Act under the direction and supervision of the Commissioner of Transportation.

Sec. 6. Allocations from Highway Fund and General Fund bond issues; improvements to highways and bridges, airports and state-owned ferry facilities; development of rail corridors and marine infrastructure; and replacement of public transportation fleets statewide. The proceeds of the sale of bonds must be expended as designated in the following schedule.

TRANSPORTATION, DEPARTMENT OF

Highway Fund

Highway and Bridge Improvements	\$19,226,031
---------------------------------	--------------

Highway Fund Total	<u>\$19,226,031</u>
---------------------------	---------------------

General Fund

Airports	\$3,000,000
----------	-------------

State-owned Ferry Facilities	1,000,000
------------------------------	-----------

Rail Corridor Development	19,700,000
---------------------------	------------

Marine Infrastructure Development	11,676,000
-----------------------------------	------------

Transit	1,440,000
---------	-----------

General Fund Total	<u>\$36,816,000</u>
---------------------------	---------------------

Sec. 7. Contingent upon ratification of bond issue. Sections 1 to 6 of this Act 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 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 \$56,042,031 bond issue for improvements to highways and bridges, airports and state-owned ferry facilities; development of rail corridors and marine infrastructure; and replacement of public transportation fleets statewide that makes the State eligible for up to \$112,000,000 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 this Act, the Governor shall proclaim the result without delay, and this 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.

INTENT AND CONTENT

This Act, would authorize the State to issue bonds in an amount not to exceed \$56,042,031 to raise funds to match available federal funds for improvements to highways and bridges, airports and state-owned ferry facilities; develop rail corridors and marine infrastructure; and replace public transportation fleets statewide. 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 from the sale of the bonds, which qualify for matching federal funds would be expended by the State Department of Transportation as follows:

Highways and Bridge Improvements	\$19,226,031
Airports	\$ 3,000,000
State-owned Ferry Facilities	\$ 1,000,000
Rail Corridor Development	\$19,700,000
Marine Infrastructure	\$11,676,000
Transit	\$ 1,440,000

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 \$56,042,031 bond issue for surface, air, water and rail transportation improvements.

A “NO” vote disapproves the bond issue.

Total estimated life time cost is \$85,464,097 representing \$56,042,031 in principal and \$29,422,066 in interest (assuming interest at 5.00% over 20 years).

Question 4: Bond Issue

Do you favor a \$12,500,000 bond issue for the following purposes:

- (1) \$7,000,000 to construct water pollution control facilities, providing the state match for \$12,500,000 in federal funds;
 - (2) \$2,500,000 to protect the State's drinking water resources by granting funds to cities and towns for the closure and cleanup of their solid waste landfills;
 - (3) \$500,000 to protect the public health, safety and the environment by providing funds for the cleanup of tire stockpiles;
 - (4) \$1,000,000 to abate, clean up and mitigate threats to the public health and environment from uncontrolled hazardous substance sites or other hazardous waste discharges; and
 - (5) \$1,500,000 to construct drinking water system improvements that address public health threats, providing the state match for \$7,500,000 in federal funds.
-

STATE OF MAINE

Chapter 60 Private & Special Laws of 1999 Approved June 23, 1999

"An Act to Authorize a General Fund Bond Issue in the Amount of \$12,500,000 to Construct Water Pollution Control Facilities and Make Other Environmental Improvements"

Preamble. Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine to provide funds to construct water pollution control facilities and make other environmental improvements.

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

Sec. 1. Authorization of bonds to provide funds to construct water pollution control facilities and make other environmental 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 \$12,500,000 to raise funds to construct water pollution control facilities; to close and clean up municipal solid waste landfills; to clean up tire stockpiles; to abate, clean up and mitigate threats to the public health and environment from uncontrolled hazardous substance sites or other hazardous waste discharges; and to make drinking water system 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 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 and the Department of Human Services.

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

2000-01	
ENVIRONMENTAL PROTECTION, DEPARTMENT OF	
Construction of water pollution control facilities providing the state match for \$12,500,000 in federal funds.	\$7,000,000
Grants to municipalities to close and clean up solid waste landfills.	\$2,500,000
Clean up tire stockpiles to protect the public health and safety and the environment.	\$ 500,000
Abatement, cleanup and mitigation of threats to the public health and environment from uncontrolled hazardous substance sites or other hazardous waste discharges.	\$1,000,000
HUMAN SERVICES, DEPARTMENT OF	
Construction of drinking water system improvements for public water supplies providing the state match for \$7,500,000 in federal funds.	\$1,500,000
TOTAL ALLOCATIONS	\$12,500,000

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 \$12,500,000 bond issue for the following purposes:

- (1) \$7,000,000 to construct water pollution control facilities, providing the state match for \$12,500,000 in federal funds;
- (2) \$2,500,000 to protect the State’s drinking water resources by granting funds to cities and towns for the closure and cleanup of their solid waste landfills;
- (3) \$500,000 to protect the public health, safety and the environment by providing funds for the cleanup of tire stockpiles;
- (4) \$1,000,000 to abate, clean up and mitigate threats to the public health and environment from uncontrolled hazardous substance sites or other hazardous waste discharges; and
- (5) \$1,500,000 to construct drinking water system improvements that address public health threats, providing the state match for \$7,500,000 in 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 this Act, the Governor shall proclaim the result without delay, and this 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.

INTENT AND CONTENT

This Act would authorize the State to issue bonds in an amount not to exceed \$12,500,000 to raise funds for the construction of water pollution control facilities and make other environmental improvements by Maine’s Department of Environmental Protection. The bonds would run for a period of not longer than 10 years from the date of issue and would be backed by the full faith and credit of the State.

The proceeds from the sale of the bonds, would be expended by Maine’s Department of Environmental Protection and the Department of Human Services as follows:

Department of Environmental Protection

Construction of water pollution control facilities, providing the state match for \$12,500,000 in federal funds;	\$7,000,000
Grants to cities and towns for the closure and cleanup of their solid waste landfills;	\$2,500,000
Cleanup of tire stockpiles to protect the public health, safety and the environment;	\$ 500,000
Abatement, clean up and mitigation of threats to the public health and environment from uncontrolled hazardous substance sites or other hazardous waste discharges; and	\$1,000,000

Department of Human Services

Construction of drinking water system improvements that address public health threats, providing the state match for \$7,500,000 in federal funds.	\$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 \$12,500,000 bond issue for environmental improvements.

A "NO" vote disapproves the bond issue.

Total estimated life time cost is \$15,662,500 representing \$12,500,000 in principal and \$3,162,500 in interest (assuming interest at 4.60% over 10 years).

Question 5: Bond Issue

Do you favor a \$9,400,000 bond issue for the conversion to digital broadcasting by the Maine Public Broadcasting Corporation?

STATE OF MAINE

Chapter 57 Private & Special Laws of 1999 Approved June 17, 1999

“An Act to Authorize a General Fund Bond Issue in the Amount of \$9,400,000 to Enable Maine Public Broadcasting to Implement the Federally Mandated Conversion to Digital Broadcasting”

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 conversion to digital broadcasting by the Maine Public Broadcasting Corporation.

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

Sec. 1. Authorization of bonds to provide for the conversion to digital broadcasting by the Maine Public Broadcasting Corporation. 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 \$9,400,000 to raise funds for the conversion to digital broadcasting by the Maine Public Broadcasting Corporation 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. Any portion of the total \$9,400,000 that is provided by the Federal Government toward this conversion must be used to avoid the issuance of that same portion of this bond. If the Federal Government provides any portion of the total \$9,400,000 after bonds have been issued for this purpose, then the Maine Public Broadcasting Corporation must refund that amount to the Treasurer of State without prepayment penalty. The Treasurer of State shall deposit the refund in the Debt Service Earnings account to be used to fund required debt service payments for the amount issued.

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 Public Broadcasting Corporation.

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

MAINE PUBLIC BROADCASTING CORPORATION

To implement the federally mandated conversion to digital broadcasting.	\$9,400,000
---	-------------

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 \$9,400,000 bond issue for the conversion to digital broadcasting by the Maine Public Broadcasting Corporation?"

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.

INTENT AND CONTENT

This Act would authorize the State to issue bonds in an amount not to exceed \$9,400,000 to raise funds for the conversion to digital broadcasting by Maine Public Broadcasting Corporation. The bonds would run for a period of not longer than 10 years from the date of issue and would be backed by the full faith and credit of the State.

The proceeds from the sale of the bonds would be expended by Maine's Public Broadcasting Corporation to be used to implement the federally mandated conversion to digital broadcasting.

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 \$9,400,000 bond issue for Maine Public Broadcasting Corporation's digital broadcasting conversion.

A "NO" vote disapproves the bond issue.

Total estimated life time cost is \$11,778,200 representing \$9,400,000 in principal and \$2,378,200 in interest (assuming interest at 4.60% over 10 years).

Question 6: Bond Issue

Do you favor a \$26,420,000 bond issue for infrastructure improvements at Maine's 7 technical colleges that must be matched by at least \$7,000,000 of private or in-kind donations?

STATE OF MAINE

**Chapter 40
Private & Special Laws of 1999
Approved June 11, 1999**

"An Act to Authorize a General Fund Bond Issue in the Amount of \$26,420,000 for Maine's 7 Technical Colleges"

Preamble. Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine to provide funds for the Maine Technical College System for high-technology laboratories and libraries, facility improvements and expansions and upgrading telecommunications and information technology.

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

Sec. 1. Authorization of bonds to provide funds for the Maine Technical College System for high-technology laboratories and libraries, facility improvements and expansions and upgrading telecommunications and information technology. 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 \$26,420,000 to raise funds for the Maine Technical College System for high-technology laboratories and libraries, facility improvements and expansions and upgrading telecommunications and information technology as authorized by section 6. This amount must be matched by at least \$7,000,000 in private or in-kind donations over the term of the bond. 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 Board of Trustees of the Maine Technical College System.

Sec. 6. Allocations from General Fund bond issue; high-technology laboratories and libraries; facility improvements and expansions; telecommunications and information technology upgrades. The proceeds of the sale of bonds must be expended as designated in the following schedule except that, with the approval of the Governor, any of the amounts may be exceeded by the transfer from one item to another, not exceeding 10% of the aggregate.

**MAINE TECHNICAL COLLEGE SYSTEM,
BOARD OF TRUSTEES OF THE**

Central Maine Technical College	\$3,250,000
Eastern Maine Technical College	\$4,370,000
Kennebec Valley Technical College	\$3,400,000
Northern Maine Technical College	\$3,000,000
Southern Maine Technical College	\$5,000,000
Washington County Technical College	\$3,100,000
York County Technical College	\$4,300,000
TOTAL ALLOCATIONS	\$26,420,000

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 \$26,420,000 bond issue for infrastructure improvements at Maine’s 7 technical colleges that must be matched by at least \$7,000,000 of 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 this Act, the Governor shall

proclaim the result without delay, and this 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.

INTENT AND CONTENT

This Act would authorize the State to issue bonds in an amount not to exceed \$26,420,000 to raise funds for infrastructure improvements at Maine's seven technical colleges. This amount must be matched by at least \$7,000,000 in private or in-kind donations over the term of the bond. The bonds would run for a period of not longer than 10 years from the date of issue and would be backed by the full faith and credit of the State.

The proceeds from the sale of the bonds would be expended by Maine's Technical College System and would be used for high technology laboratories and libraries, facility improvements and expansions and upgrading telecommunications and information technology. The proceeds would be allocated as follows:

Central Maine Technical College	\$3,250,000
Eastern Maine Technical College	\$4,370,000
Kennebec Valley Technical College	\$3,400,000
Northern Maine Technical College	\$3,000,000
Southern Maine Technical College	\$5,000,000
Washington County Technical College	\$3,100,000
York County Technical College	\$4,300,000

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 \$26,420,000 bond issue for the Maine Technical College System improvements.

A "NO" vote disapproves the bond issue.

Total estimated life time cost is \$33,104,260 representing \$26,420,000 in principal and \$6,684,260 in interest (assuming interest at 4.60% over 10 years).

Question 7: Bond Issue

Do you favor a \$50,000,000 bond issue to purchase public lands and easements statewide from willing sellers for conservation, water access, outdoor recreation, including hunting and fishing, wildlife and fish habitat and farmland preservation, to be matched by \$25,000,000 in private and public contributions?

STATE OF MAINE

**Chapter 514
Public Laws of 1999
Approved June 17, 1999**

“An Act to Authorize a General Fund Bond Issue in the Amount of \$50,000,000 to Finance the Acquisition of Lands and Interests in Lands for Conservation, Water Access, Outdoor Recreation, Wildlife and Fish Habitat and Farmland Preservation and to Access \$25,000,000 in Matching Contributions from Public and Private Sources”

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

Preamble. Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine to provide funds for the acquisition of lands and interests in lands for conservation, water access, outdoor recreation, wildlife and fish habitat and farmland preservation and to access matching contributions from public and private sources.

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

PART A

Sec. A-1. Authorization of bonds to provide for conservation, water access, outdoor recreation, wildlife and fish habitat and farmland preservation. 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 \$50,000,000 to raise funds for the acquisition of lands and interests in lands for conservation, water access, outdoor recreation, wildlife and fish habitat and farmland preservation and to access matching contributions from public and private sources, as authorized in section 7 of this Part. No more than \$10,000,000 may be issued in the first year and no more than \$10,000,000 may be issued in each of the 4 subsequent years, except that any unused balance may be added to the specified amount in subsequent years. 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 7 of this Part lapse to the debt service account established for the retirement of these bonds.

Sec. A-4. Taxable bond option. The Treasurer of State, at the direction of the Governor, shall covenant and consent that the interest on the bonds is includable under the United States Internal Revenue Code in the gross income of the holders of the bonds to the same extent and in the same manner that the interest on bills, bonds, notes or other obligations of the United States is includable in the gross income of the holders under the United States Internal Revenue Code or any subsequent law. The powers conferred by this section are not subject to any limitations or restrictions of any law that may limit the power to so covenant and consent.

Sec. A-5. 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-6. Disbursement of bond proceeds. The proceeds of the bonds must be expended for acquisition of lands and interests in lands for conservation, water access, outdoor recreation, wildlife and fish habitat and farmland preservation in accordance with the provisions for such acquisitions under the Maine Revised Statutes, Title 5, chapter 353, except that use of the proceeds of these bonds is subject to the following conditions and requirements.

1. Hunting, fishing, trapping and public access may not be prohibited on land acquired with bond proceeds, except to the extent of applicable state, local or federal laws and regulations.

2. Payment from bond proceeds for acquisitions of local or regional significance, as determined by the Land for Maine's Future Board, may be made directly to cooperating entities as defined in Title 5, section 6201, subsection 2, for acquisition of lands and interests in lands by cooperating entities, subject to terms and conditions enforceable by the State to ensure their use for the purposes of this Part.

3. The bond funds must be matched with as least \$25,000,000 in public and private contributions. Seventy percent of that amount must be in the form of land, cash or other tangible assets. The remaining 30% may be matching contributions and include the value of project-related, in-kind contributions of goods and services to and by cooperating entities and the value of real property interests acquired by or contributed to cooperating entities when property interests have a relationship to the property proposed for protection, as determined by the Land for Maine's Future Board.

4. Ten percent of the bond proceeds must be made available to acquire public access to water, in accordance with the provisions of Title 5, section 6203-A.

5. Up to 10% of the bond proceeds must be made available to protect farmland in accordance with the Maine Revised Statutes, Title 5, section 6207.

6. To the extent the purposes are consistent with the disbursement provisions in this Part, 100% of the bond proceeds may be considered as state match for any federal funding to be made available to the State.

Sec. A-7. Allocations from General Fund bond issue; acquisition of lands; interests in lands for conservation; water access; outdoor recreation; wildlife and fish habitat; farmland preservation. The proceeds of the sale of bonds must be expended as designated in the following schedule.

EXECUTIVE DEPARTMENT

State Planning Office

Land for Maine's Future Board

All Other

\$50,000,000

Provides for the use of bond proceeds to be used for the acquisition of lands and interests in lands for conservation, water access, outdoor recreation, wildlife and fish habitat and farmland preservation.

Sec. A-8. Contingent upon ratification of bond issue. Sections 1 to 7 of this Part do not become effective unless the people of the State have ratified the issuance of bonds as set forth in this Part.

Sec. A-9. Appropriation balances at year end. At the end of each fiscal year, all unencumbered appropriation balances representing state money carry forward. Bond proceeds that have not been expended within 25 years after the date of the sale of the bonds lapse to General Fund debt service.

Sec. A-10. Bonds authorized but not issued. Any bonds authorized but not issued, or for which bond anticipation notes are not issued within 10 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 10-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-11. 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 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 Part by voting on the following question:

“Do you favor a \$50,000,000 bond issue to purchase public lands and easements statewide from willing sellers for conservation, water access, outdoor recreation, including hunting and fishing, wildlife and fish habitat and farmland preservation, to be matched by \$25,000,000 in private and public contributions?”

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 this 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 Act necessary to carry out the purpose of this referendum.

PART B

Sec. B-1. 5 MRSA §6208-A is enacted to read:

§6208-A. Unorganized territory; county approval

1. Approval. Approval by the county commissioners is required if land proposed to be acquired under a bond issue within the unorganized territory in a county constitutes more than 1% of the state valuation within the county.

2. Transactions. Any acquisition of land within an unorganized territory by eminent domain funded by the board, when the land exceeds either 50 acres or \$100,000 in assessed value, must be approved by the county in which the land is located. That approval may be obtained either from the county commissioners or, if they do not approve, by referendum of the legal voters within the county.

INTENT AND CONTENT

This Act would authorize the State to issue bonds in an amount not to exceed \$50,000,000 to raise funds for conservation, water access, outdoor recreation, wildlife and fish habitat and farmland preservation. The bonds must be matched with at least \$25,000,000 in public and private contributions. 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 from the sale of the bonds, would be expended by the State Planning Office for conservation, water access, outdoor recreation, wildlife and fish habitat and farmland preservation.

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 \$50,000,000 bond issue for conservation, water access, outdoor recreation, wildlife and fish habitat and farmland preservation.

A "NO" vote disapproves the bond issue.

Total estimated life time cost is \$76,250,000 representing \$50,000,000 in principal and \$26,250,000 in interest (assuming interest at 5.00% over 20 years).

Question 8: Constitutional Amendment

Do you favor amending the Constitution of Maine to require that a petition for a people's veto be voted on at the next statewide or general election, rather than at a special election?

STATE OF MAINE

Chapter 1

Constitutional Resolutions of 1999

Approved June 3, 1999

“RESOLUTION, Proposing an Amendment to the Constitution of Maine to Amend the Timing of Elections Following the Submission of a Petition for People’s 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, §17, sub-§1 is amended to read:

1. Petition procedure; petition for people’s veto. Upon written petition of electors, the number of which shall not be less than 10% of the total vote for Governor cast in the last gubernatorial election preceding the filing of such petition, and addressed to the Governor and filed in the office of the Secretary of State by the hour of 5:00 p.m., on or before the 90th day after the recess of the Legislature, or if such 90th day is a Saturday, a Sunday, or a legal holiday, by the hour of 5:00 p.m., on the preceding day which is not a Saturday, a Sunday, or a legal holiday, requesting that one or more Acts, bills, resolves or resolutions, or part or parts thereof, passed by the Legislature but not then in effect by reason of the provisions of the preceding section, be referred to the people, such Acts, bills, resolves, or resolutions or part or parts thereof as are specified in such petition shall not take effect until 30 days after the Governor shall have announced by public proclamation that the same have been ratified by a majority of the electors voting thereon at a statewide or general election.

Constitution, Art. IV, Part Third, §17, sub-§3 is amended to read:

3. Referral to electors; proclamation by Governor. As soon as it appears that the effect of any Act, bill, resolve, or resolution or part or parts thereof has been suspended by petition in manner aforesaid, the Governor by public proclamation shall give notice thereof and of the time when such measure is to be voted on by the people, which shall be at the next statewide or general election, whichever comes first, not less than 60 days after such proclamation, ~~or in case of no statewide election within 6 months thereafter the Governor may order such measure submitted to the people at a special election not less than 60 days nor more than 6 months after proclamation thereof.~~ If the Governor fails to order such measure to be submitted to the people at the next statewide or general election, the Secretary of State shall, by proclamation, order such measure to be submitted to the people at such an election and such order shall be sufficient to enable the people to vote.

; 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 that a petition for a people’s veto be voted on at the next statewide or general election, rather than at a special election?”

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.

INTENT AND CONTENT

This Resolution would authorize an amendment to the Constitution of Maine to allow a petition for a people’s veto to be voted on at the next statewide or general election rather than at a special election. The Amendment deletes current language, which allows a petition for the people’s veto to be voted on at a special election.

A “YES” vote approves the constitutional amendment.

A “NO” vote disapproves the constitutional amendment.

Question 9: Constitutional Amendment

Do you favor amending the Constitution of Maine to allow for reduced property taxes on property that will be maintained for historic preservation or for scenic views of significant vistas?

STATE OF MAINE
Chapter 2
Constitutional Resolutions of 1999
Approved June 3, 1999

“RESOLUTION, Proposing an Amendment to the Constitution of Maine to Promote Historic and Scenic Preservation”

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, §8, sub-§5 is enacted to read:

5. Historic and scenic preservation. The Legislature shall have the power to provide that municipalities may reduce taxes on real property if the property owner agrees to maintain the property in accordance with criteria adopted by the governing legislative body of the municipality to maintain the historic integrity of important structures or to provide scenic view easements of significant vistas.

; 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 allow for reduced property taxes on property that will be maintained for historic preservation or for scenic views of significant vistas?”

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.

INTENT AND CONTENT

This Resolution would authorize an amendment to the Constitution of Maine to allow a municipality to reduce taxes on real property if the property owner agrees to maintain the property in accordance with criteria adopted by the municipality to preserve the historic integrity of important structures or to provide scenic view easements of significant vistas.

A “YES” vote approves the constitutional amendment.

A “NO” vote disapproves the constitutional amendment.