

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)

1 FIRST SPECIAL SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1795

6
7 S.P. 639

In Senate, September 6, 1983

8 Received by the Secretary of the Senate on August 26, 1983. Referred to
9 the Committee on Appropriations and Financial Affairs and Ordered Printed
10 pursuant to Joint Rule 14.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Carpenter of Aroostook

11 Cosponsors: Representative Beaulieu of Portland, Representative
Drinkwater of Belfast and Representative Vose of Eastport.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Authorize a General Fund Bond
18 Issue in the Amount of \$11,875,000
19 for the Purpose of Making Air and Sea
20 Transportation Improvements.
21

22 **Preamble.** Two-thirds of both Houses of the
23 Legislature deeming it necessary in accordance with
24 the Constitution of Maine, Article IX, Section 14, to
25 authorize the issuance of bonds on behalf of the
26 State of Maine to provide for air and sea transporta-
27 tion improvements.

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

30 **Sec. 1.** Bond issue of \$11,875,000 author-
31 ized. The Treasurer of State is authorized under the
32 direction of the Governor to issue from time to time
33 serial coupon bonds in the name and behalf of the
34 State to an amount not exceeding \$11,875,000, payable
35 serially at the State Treasury within 20 years from

1 date of issue. Such bonds and coupons shall be of
2 such denominations and form and upon such terms and
3 conditions, not inconsistent with this Act, as the
4 Governor shall direct. The proceeds from the sale of
5 the bonds shall be used for transportation improve-
6 ment as authorized by section 4. The bonds shall be
7 deemed a pledge of the faith and credit of the State.
8 The bonds shall be issued from time to time so as to
9 meet the needs of the transportation improvement pro-
10 gram. The bonds when paid at maturity or otherwise
11 retired shall not be reissued, but may be refunded on
12 terms more favorable to the State than those in the
13 original issue.

14 Sec. 2. Interest and debt retirement. Interest
15 due or accruing upon any bonds issued under this Act
16 and all sums coming due for payment of bonds at matu-
17 rity shall be paid by the Treasurer of State from any
18 money in the State Treasury not otherwise appropri-
19 ated.

20 Sec. 3. Disbursement of bond proceeds. The pro-
21 ceeds of the bonds appropriated to the Department of
22 Transportation shall be expended under this direction
23 and supervision of the State Director of Public
24 Improvements to the extent required by law.

25 Sec. 4. Appropriation. The following funds are
26 appropriated from the General Fund to carry out the
27 purposes of this Act.

<u>TRANSPORTATION, DEPART-</u>	
<u>MENT OF</u>	
30	Airport improvements \$ 1,000,000
31	Cargo and ferry terminal 10,000,000
32	improvements and construction
33	Ferry service - new ferry and 875,000
34	crew quarters
35	<hr/>
36	Total \$11,875,000

1 It is the intent of the Legis-
2 lature that any of the
3 improvements in this
4 section for which matching
5 funds are required, as indi-
6 cated in federal or
7 state laws or department pro-
8 grams, shall have the matching
9 funds available
10 before state money is expended
11 on the improvement.

12 **Sec. 5. Appropriation balances at year end.** At
13 the end of each fiscal year, all unencumbered appro-
14 priation balances representing state moneys shall
15 carry forward from year to year.

16 **Sec. 6. Acquisition of land.** Land required for
17 improvements undertaken directly by the Department of
18 Transportation may be acquired for the purpose of
19 making necessary improvements in the same manner as
20 provided in the Revised Statutes, Title 23, section
21 154.

22 **Sec. 7. Department of Transportation; author-**
23 **ity.** Consistent with existing law, in implementing
24 this Act, the State, acting through the Department of
25 Transportation, may enter into any agreements neces-
26 sary to effect the purposes and authorization set
27 forth in this Act.

28 **Sec. 8. Contingent upon ratification of bond**
29 **issue.** Sections 1 to 4 shall not become effective
30 unless and until the people of the State have rati-
31 fied the issuance of bonds as set forth in this Act.

32 **Sec. 9. Statutory referendum procedure; submis-**
33 **sion at statewide election; form of question; effec-**
34 **tive date.** This Act shall be submitted to the legal
35 voters of the State of Maine at a statewide election
36 to be held on the Tuesday following the first Monday
37 of November following passage of this Act. The city
38 aldermen, town selectmen and plantation assessors of
39 this State shall notify the inhabitants of their
40 respective cities, towns and plantations to meet, in
41 the manner prescribed by law for holding a statewide
42 election, to vote on the acceptance or rejection of

1 this Act by voting on the following question:

2 "Shall a bond issue be authorized in the amount
3 of \$11,875,000 to provide state funds which,
4 together with available matching funds from fed-
5 eral and other sources, will be utilized for
6 capital improvement projects directed toward
7 enhancing economic development and related sup-
8 port systems throughout the State and will
9 encompass: Upgrading facilities at 33 airports;
10 port and marine transportation facilities'
11 development in the Eastport area, Searsport and
12 Portland; and improvements to the state's island
13 ferry service, including a new vessel to serve
14 Penobscot Bay?"

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

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

33 STATEMENT OF FACT

34 The purpose of this bond issue is to provide for
35 capital improvements in other than highway trans-
36 portation facilities.

37 Airport improvements are proposed at 8 air car-
38 rier airports and 25 general aviation airports. A
39 total expenditure of \$1,000,000 in state dollars will
40 attract 13.2 million federal dollars. This is part

1 of the state's continuing obligation to maintain and
2 improve its airport facilities and provide for the
3 growth and development of the air transportation
4 industry, both public and private.

5 The port and marine transportation program
6 includes \$10,000,000 for proposed improvements to
7 cargo piers and ferry terminals in Maine. Four mil-
8 lion five hundred thousand dollars will be used to
9 complete the development of the Sears Island termi-
10 nal. Four million five hundred thousand dollars will
11 be used to develop a public general cargo-handling
12 facility in Portland. Up to \$0.5 million of the \$4.5
13 million earmarked for the Portland facility could be
14 used for a terminal for ferry services in Portland.
15 One million dollars will be used to match federal
16 funds to rehabilitate and extend the Eastport break-
17 water, presently being used as a cargo pier.

18 The amount of \$875,000 is included in this pro-
19 gram for the construction of a new ferry to be used
20 by the Maine State Ferry Service in Penobscot Bay and
21 the replacement of crew quarters at Vinalhaven and
22 Islesboro. Of that amount, \$775,000 represents the
23 state's share which would be required to match funds
24 that may be available from discretionary funds admin-
25 istered by the United States Secretary of Transporta-
26 tion under the Public Transportation Act of 1982.
27 The cost of the new ferry is estimated at \$3.1 mil-
28 lion. Whether federal funds will actually be avail-
29 able for this purpose will not be known for several
30 months.

31 Ferries operated by the Maine State Ferry Service
32 are now reaching 20 years of age and a program of re-
33 placement and modification has been developed in
34 order to respond promptly and efficiently to the
35 present and future needs of the service. The new
36 vessel will be compatible with the other vessels in
37 the fleet, in that it can be used on any of the runs,
38 whereas the existing Islesboro ferry can now be used
39 only on the Islesboro-Lincolnvilleville route. As previ-
40 ously indicated, \$100,000 is included for the re-
41 placement of crew quarters. The ferry service pro-
42 gram totals \$3.2 million.

43 This program implements in part the recommenda-

1 tions of the Blaine House Conference on State and
2 Local Relations.

3

4705082283