

MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature

1973

Personal Services	(1)	\$3,162	(1)	\$3,162
All Other		7,198		7,198
Capital Expenditures		500		—
		<hr/>		<hr/>
		\$10,860		\$10,360

Effective October 3, 1973

CHAPTER 622

AN ACT Reestablishing the Capitol Planning Commission.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the purpose of the bill is to reestablish the Capitol Planning Commission; and

Whereas, since there is contemplated construction in the Capitol Area, it is essential that the commission be reestablished as soon as possible to provide expert guidance for the orderly and aesthetic development of the area; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec 1. R. S., T. 5, § 298, repealed and replaced. Section 298 of Title 5 of the Revised Statutes, as enacted by section 1 of chapter 458 of the public laws of 1967 and as repealed and replaced by section 5 of chapter 615 of the public laws of 1971, is repealed and the following enacted in place thereof:

§ 298. Capitol Planning Commission

There is created a Capitol Planning Commission, the function of which shall be to administer this chapter and to perform such other duties as may be prescribed by law.

The commission shall consist of 5 members appointed by the Governor for overlapping terms of 5 years. One member of the first commission shall be appointed for a term of one year, one for 2 years, one for 3 years, one for 4 years and one for 5 years. Their successors shall be appointed for terms of 5 years. Each member shall serve for the term of his appointment and thereafter until his successor is appointed and qualified. A vacancy shall be filled for the unexpired term in the same manner in which the original appointment is made. The members of the commission shall serve without compensation, but shall receive their necessary expenses.

The members of the commission shall elect a chairman who shall preside at all meetings of the commission when present. The commission shall meet

at least once every 4 months and in addition, may meet as often as necessary, at such times and places as the chairman may designate. Any 3 members constitute a quorum for the exercise of all powers of the commission. The commission may employ, subject to the Personnel Law, such assistance as may be necessary to properly carry out the duties of the commission.

The Bureau of Public Improvements shall serve as the secretariat of the commission in exercising its administration. The commission may make such rules and regulations as it shall deem necessary for the purposes of carrying out this chapter.

Sec. 2. R. S., T. 5, § 299, amended. The first paragraph of section 299 of Title 5 of the Revised Statutes, as enacted by section 1 of chapter 458 of the public laws of 1967 and as amended by section 14 of chapter 615 of the public laws of 1971, is amended to read as follows:

The Bureau of Public Improvements shall establish and maintain a master plan for the orderly development of future state buildings and grounds in the Capitol Area of the City of Augusta. In ~~evolving~~ maintaining the master plan, the bureau shall take the following factors into consideration:

Sec. 3. R. S., T. 5, § 302, amended. Section 302 of Title 5 of the Revised Statutes, as enacted by section 1 of chapter 458 of the public laws of 1967 and as amended by section 14 of chapter 615 of the public laws of 1971, is further amended by adding at the end a new sentence to read as follows:

From time to time the commission may submit such additions and amendments as it deems necessary to the Legislature for adoption and inclusion in the official state master plan for the development of state buildings and grounds in the Capitol Area.

Sec. 4. R. S., T. 5, § 304, amended. Section 304 of Title 5 of the Revised Statutes, as enacted by section 1 of chapter 458 of the public laws of 1967 and as amended, is further amended to read as follows:

§ 304. Approval of construction projects

No construction projects shall be initiated in the Capitol Area for the development of state buildings and grounds following the adoption of the plan or amendments and additions thereto by the Legislature without the approval of the Legislative Research Committee and the Bureau of Public Improvements of the proposals and plans for such projects.

Sec. 5. R. S., T. 5, § 307, amended. Section 307 of Title 5 of the Revised Statutes, as enacted by section 1 of chapter 458 of the public laws of 1967 and as amended by section 6 of chapter 615 of the public laws of 1971, is further amended to read as follows:

§ 307. Interest in contracts prohibited

No employee of the Department of Finance and Administration or member of the commission shall be interested directly or indirectly in any contract or contracts calling for the construction or improvements of facilities, buildings and grounds in the Capitol Area in the City of Augusta as described in Title 1, section 814.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective July 5, 1973

CHAPTER 623

AN ACT Authorizing the State Housing Authority to Establish Capital Reserve Funds.

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

Sec. 1. R. S., T. 30, § 4761, sub-§ 2, repealed and replaced. Subsection 2 of section 4761 of Title 30 of the Revised Statutes, as enacted by section 18 of chapter 470 of the public laws of 1969, is repealed and the following enacted in place thereof:

2. Capital Reserve Funds. The state authority may establish and maintain one or more special funds called "Capital Reserve Funds" which shall consist of:

A. All moneys appropriated by the State for inclusion therein;

B. All proceeds of the sale of bonds, required to be deposited therein by the terms of the resolution authorizing the sale of said bonds;

C. All other moneys available to the state authority which it determines to utilize for this purpose.

All moneys held in any Capital Reserve Fund shall be used only to retire those bonds of the state authority issued to purchase mortgage loans or notes under the resolution establishing such Capital Reserve Fund, or to maintain such Capital Reserve Fund at an amount equal to the minimum reserve established by the state authority. Any proceeds beyond the amount necessary to this function may be used to replace matured mortgage loans or notes or to purchase mortgage loans or notes or to pay any and all expenses of the state authority up to $\frac{1}{2}$ of 1% of the bond value outstanding each year under the resolution creating such Capital Reserve Fund. The minimum amount of any Capital Reserve Fund shall be the minimum amount of money sufficient to meet the maximum payment required in the succeeding calendar year for payment of principal and interest falling due on all bonds outstanding under the resolution creating such Capital Reserve Fund and retiring all other such bonds required by the terms of such resolution to be retired, such amounts being hereafter referred to as the required "minimum reserve".

Sec. 2. R. S., T. 30, § 4761, sub-§ 3, additional. Section 4761 of Title 30 of the Revised Statutes, as enacted by section 18 of chapter 470 of the public laws of 1969, is amended by adding a new subsection 3 to read as follows:

3. Required minimum reserve. Notwithstanding any other provision contained in this subchapter, no bonds shall be issued by the state authority unless there is in the Housing or Capital Reserve Fund which will secure such bonds the required minimum reserve for all such bonds issued and to be