

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
FIRST REGULAR SESSION
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ONE HUNDRED AND EIGHTH LEGISLATURE
1977

CHAPTER 562

AN ACT to Authorize Bond Issue in the Amount of \$2,100,000 to Establish a Maine Veterans Home.

Preamble. Two-thirds of both Houses of the Legislature deeming it necessary in accordance with the Maine Constitution, Article IX, Section 14, to authorize the issuance of self-liquidating bonds on behalf of the State of Maine to establish a Maine Veterans Home.

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

Sec. 1. 37-A MRSA c. 28 is enacted to read:

CHAPTER 28

MAINE VETERANS HOME

§ 1401. Establishment

There is established in the State of Maine a home known as "Maine Veterans Home" primarily for support and care of honorably discharged veterans, hereinafter in this chapter referred to as members who served in the Armed Forces of the United States in any war, including the Korean and Viet Nam conflicts.

§ 1402. Board of trustees

The administration of the home is vested in the Board of Trustees of Maine Veterans Home. The board shall consist of 9 members, one of whom shall be the Director of the Bureau of Veterans Services who shall serve without term. The remaining trustees shall be appointed by the Governor to a term of 3 years. All trustees of the board shall be honorably discharged war veterans and one member shall be appointed from and shall represent each of the largest veterans organizations, not exceeding 5, which are nationally chartered and have a department in Maine. The remaining members shall be appointed at large. Three of the trustees shall be appointed for a term of one year, 3 shall be appointed for a term of 2 years and 2 shall be appointed for a term of 3 years at the time of the initial appointments. Appointments thereafter shall be for the regular term of 3 years. In the event of a vacancy, the successor shall be appointed to complete the unexpired term. Each trustee shall continue to hold office until his successor is appointed and qualified.

§ 1403. Duties of the board

The board shall meet at least 6 times annually and adhere to the same fiscal year as the State of Maine. They shall hold their first meeting for organizational and other purposes, at which meeting the board shall elect a chairman and secretary for the fiscal year. Each succeeding year, the board shall hold their first meeting in July. Five members shall constitute a quorum. Special meetings may be called by agreement of a majority of trustees. The board shall adopt such rules and regulations as are necessary to ad-

minister the home, to provide for just charges for maintenance of members, to determine the admittance and discharge of members and generally to oversee the operation of the home. The board shall appoint an administrator to administer the home. The board is empowered to apply for any grants-in-aid, federal or otherwise, to which the State or the Maine Veterans Home may be eligible.

§ 1404. Administrator

The administrator shall be an honorably discharged war veteran and shall administer the home in accordance with the rules, regulations, guidelines and general policy as may be established by the board. He shall serve an indefinite term, but may be removed for cause by the board. His salary shall be set by the board. The administrator shall hire, subject to the Personnel Law, the necessary employees to operate the home and, whenever possible, shall give preference in hiring to war veterans. The administrator shall be encouraged to live on the grounds of the home, in quarters owned and maintained by the home if available, and if so, he shall pay telephone and electrical charges attributable to his domicile, but shall not be required to pay rent, heating costs or repairs and renovations.

§ 1405. Admission of members

Veterans desiring admission to the home shall make application on forms prescribed by the administrator and admission will be made by the administrator only to veterans who were residents of Maine at the time of their entry into the Armed Forces of the United States or who have been residents of Maine at least 3 years prior to requesting admission, and the spouses of such veterans, providing suitable facilities are available. Admission will be granted when provisions of the rules and regulations are met, when there is a vacancy and in order of application, unless otherwise provided in the rules and regulations.

§ 1406. Charges to members

Each member shall pay to the State such share of the costs of his maintenance as he can afford and as prescribed in the rules and regulations.

§ 1407. Donations

The board of trustees is empowered to receive, on behalf of the State, all bequests and donations that may be made to improve the general comfort and welfare of the members or for the betterment of the home.

§ 1408. Custodian of funds

Funds shall be deposited with the Treasurer of State by the administrator from members for their maintenance, the United States Treasury and other funds given or granted to the home, other than state appropriations.

§ 1409. Continuous fund

All funds received by the Treasurer of State shall be held by him in a permanent continuous fund to be drawn upon by the administrator of the

home for support and maintenance of the home as it is required. A percentage of these funds should be placed in reserve for capital improvement expenditures as approved by the board of trustees. However, the board of trustees shall operate the home, when constructed, as a self-liquidating project until all the bonds issued as provided by this chapter shall be retired.

§ 1410. Reports

The board shall make an annual report to the Governor. Such report shall account for all moneys received and expended, statistics on members who resided in the home during the year, recommendations to the Governor and Legislature and such other matters as the board may deem pertinent. The administrator, subject to approval of the board, shall compile a biennial budget on the forms and at the time as required of all other state agencies.

§ 1411. Compensation of the board

No trustees shall receive compensation for any services rendered the home but necessary expenses incurred by a trustee in the performance of his official duties shall be paid by the State.

Sec. 2. Authorization of bond issue for construction of Maine Veterans Home. The cost of constructing the Maine Veterans Home, including any expenses incurred in financing thereof, shall be taken an appropriated from the proceeds of bonds issued under the authority of this Act.

1. Issue of self-liquidating bonds to provide for construction. The Treasurer of State is authorized, under the direction of the Governor, to issue from time to time serial coupon bonds in the name and behalf of the State to an amount not exceeding \$2,100,000 for the purpose of raising funds to provide for construction pursuant to this Act. These bonds shall be general obligations of the State of Maine and the full faith and credit of the State shall be pledged to the payment of interest and redemption of the bonds. These bonds shall not run for a longer period than 25 years from the date of the original issue thereof. Any issuance of bonds may contain a call feature at the discretion of the Treasurer of State with the approval of the Governor.

2. Operation of Maine Veterans Home. The board of trustees shall operate the home, when completed, as a self-liquidating project until all the bonds issued as provided by this Act shall be retired and all the expenses incurred hereunder shall be paid. The board of trustees shall charge and collect such maintenance fees for the use of the home as may be determined from time to time as necessary for the amortization of the principal of and the interest of the bonds issued and shall deposit to the credit of the Treasurer of State, in a separate account to be established by the State Controller, on the books of the State, all fees so charged and collected as assessed by the board.

3. Records of bonds issued to be kept by State Auditor and Treasurer. The State Auditor shall keep an account of such bonds, showing the number and amount of each, the date when payable and the date of delivery thereof to the Treasurer of State, who shall keep an account of each bond, showing the number thereof, the name of the successful bidder to whom sold, the amount received for the same, the date of sale and the date when payable.

4. **Sale, how negotiated; proceeds appropriated.** The Treasurer of State may negotiate the sale of such bonds by direction of the Governor, but no such bond shall be loaned, pledged or hypothecated in behalf of the State. The proceeds of the sales of such bonds, which shall be held by the Treasurer of State and paid by him upon warrants drawn by the State Controller, are appropriated to be used solely for the purpose set forth in this Act. Any unencumbered balances remaining at the completion of the construction pursuant to this Act shall lapse to the debt service account established for the retirement of these bonds.

5. **Interest and debt retirement.** Interest due or accruing upon any bonds issued under the provisions of this Act and all sums coming due for payment of bonds at maturity shall be paid by the Treasurer of State.

6. **Disbursement of bond proceeds.** The proceeds of such bonds shall be expended under the direction and supervision of the board of trustees with the approval of the Bureau of Public Improvements.

7. **Other sources of funds.** This Act shall not in any manner preclude the board of trustees or the Treasurer of State from accepting from any authorized agency of the Federal Government or other nonstate sources construction aid fund grants, debt service grant funds or other grants for the planning, construction, equipping or property acquisition for any of the projects provided for in this Act, or from entering into agreements with such agency or agencies respecting any such grants.

8. **Proceeds of bonds not available for other purposes; shall be kept separate from other funds.** The proceeds of all bonds issued under the authority of this Act and the funds made available for interest and debt retirement thereunder shall at all times be kept distinct from all other moneys of the State and shall not be drawn upon or be available for any other purpose.

9. **Allocations from self-liquidating bond issue.**

Description	Project Cost
Construction of Maine Veterans Home	\$2,100,000

10. **Contingent upon ratification of bond issue.** Section 1 and subsections 1 through 9 of section 2 of this Act shall not become effective unless and until the people of the State of Maine shall have ratified the issuance of bonds as set forth in this Act.

11. **Referendum for ratification.** The aldermen of cities, the selectmen of towns and the assessors of the several plantations of this State are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of Senators and Representatives at the next general or special statewide election to give in their votes upon the acceptance or rejection of the foregoing Act, and the question shall be:

“Shall the State authorize bond issue in the amount of \$2,100,000 to Establish a Maine Veterans Home, as enacted by the First Regular Session of the 108th Legislature?”

The inhabitants of said cities, towns and plantations shall indicate by a cross or check mark placed within a square upon their ballots their opinion of the same, those in favor of ratification voting "Yes" and those opposed to ratification voting "No" and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings, and return made to the office of the Secretary of State in the same manner as votes for Governor and Members of the Legislature, and the Governor shall review the same and if it shall appear that a majority of the inhabitants voting on the question are in favor of the Act, the Governor shall forthwith make known the fact by his proclamation, and the Act shall thereupon become effective in 30 days after the date of said proclamation.

Secretary of State shall prepare ballots. The Secretary of State shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing Act, accompanied by a copy thereof.

Effective October 24, 1977

CHAPTER 563

AN ACT Relating to Approving and Financing School Construction.

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

Whereas, there is an urgent need for some administrative units to construct facilities for school pupils; and

Whereas, it is in the best interests of local units and the State to know on what basis school construction projects will be approved; and

Whereas, some students are attending schools which are unsafe and obsolete; 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. 5 MRSA c. 153, sub-c. 1-A, as enacted by PL 1977, c. 320, is repealed.

Sec. 2. 5 MRSA c. 153, sub-c. 1-A is repealed and reenacted to read:

SUBCHAPTER 1-A

ENERGY CONSERVATION IN BUILDINGS ACT