

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**FIRST REGULAR SESSION**  
December 1, 1982 to June 24, 1983  
Chapters 453-End

AND AT THE  
**FIRST SPECIAL SESSION**  
September 6, 1983 to September 7, 1983  
Chapters 583-588

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH  
IN ACCORDANCE WITH MAINE REVISED STATUTES  
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1983

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

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employees of the Executive Branch; and

Whereas, this Act is necessary to effectuate the intent of the Legislative Council; 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:

3 MRSA §162, sub-§2, as amended by PL 1975, c. 770, §3, is further amended to read:

2. Legislative employee salary and benefit schedules. To establish salary schedules for all employees of legislative agencies, departments and offices, except as otherwise provided by law, and to develop relatively uniform salary schedules for House and Senate employees and officers and, notwithstanding any other provision of law, to establish benefit schedules for legislative employees;

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved and shall be applied retroactively to March 28, 1983.

Effective September 9, 1983.

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## CHAPTER 585

H.P. 1367 - L.D. 1800

AN ACT to Authorize a Bond Issue in the Amount of \$21,094,000 for State Facilities Construction, Renovations and Improvements and Construction and Improvements of Municipal Facilities and to Deauthorize Unused Portions of Previous Bond Issues.

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 the capital improvements, construction, renovations, equipment and furnishings

for the various state departments.

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

Sec. 1. 20-A MRSA §15708, sub-§1, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

1. Exceptions. The authority, acting on behalf of the State, may insure the payment of its revenue bonds. To this end, the faith and credit of the State shall be pledged, consistent with the terms and limitations of the Constitution of Maine, Article IX, Section 14-C. The amount of these revenue bonds shall not exceed \$4,800,000 in the aggregate. The authority shall, in the resolution authorizing the issuance of these revenue bonds, provide that the payment of these revenue bonds shall be insured by the State. On the adoption of the resolution, the payment of these revenue bonds shall be deemed to have been insured by the State and the faith and credit of the State to have been pledged to that payment. The insurance shall take effect without obtaining the consent of any agency of the State, and without any other proceedings or conditions except as specifically required by this chapter.

Sec. 2. 27 MRSA §505, sub-§2, ¶D is enacted to read:

D. The director may administer a program of state financed grants for the stabilization and restoration of unique historic structures consistent with the following conditions.

(1) An applicant for a grant must be either a governmental or a nonprofit organization.

(2) The historic structure which is the subject of the grant application must be on the National Register of Historic Places as provided by the National Historic Preservation Act of 1966 or have been nominated to the register by the commission.

(3) An applicant must provide assurance that public access to the structure will be reasonably provided with respect to admission fees, visitation hours and physical accessibility, while maintaining the historical integrity of the structure.

(4) Applications must address, to the satisfaction of the commission, the applicant's organizational and financial capacity to provide long-term maintenance of that

structure which is the subject of the application.

(5) Grants shall not exceed 50% of the total expense of the proposed project, except that grants to this State may be 100% of the total expense of the proposed project.

(6) All grants shall be subject to final approval, by the commission.

(7) Prior to final approval, the commission may require the applicant to execute a covenant to secure continued public access and maintenance of the historic integrity of the structure, and a right of first refusal for the State.

With respect to the quality of work to be performed through this grant program, the commission and the director shall be guided by the United States Secretary of the Interior's Standards for Rehabilitation.

Sec. 3. P&SL 1979, c. 106, §1, 2nd sentence, is amended to read:

Any bonds issued pursuant to this authorization shall be issued prior to July 1, 1985 1983.

Sec. 4. Bond issue; unused portion of Private and Special Law 1979, chapter 60, section 2, deauthorized. The amount of \$2,082.70, which was authorized but unissued in bond under Private and Special Law 1979, chapter 60, section 2, shall be deauthorized.

Sec. 5. Bond issue; unused portion of Private and Special Law 1977, chapter 70, sections 1 and 7, deauthorized. The amount of \$3,000, which was authorized but unissued in bond under Private and Special Law 1977, chapter 70, sections 1 and 7, shall be deauthorized.

Sec. 6. Issue of bonds to provide for capital improvements, construction, renovations, equipment and furnishings for state departments and for the construction and improvement of municipal facilities. The Treasurer of State may, under the direction of the Governor, issue from time to time serial coupon bonds in the name and behalf of the State to an amount not exceeding \$21,094,000 for the purpose of raising funds to provide for such capital improvements, construction, renovations, equipment and furnishings as authorized by sections 11 to 15. The

bonds shall be deemed a pledge of the faith and credit of the State. The bonds shall not run for a longer period than 20 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.

Sec. 7. Records of bonds issued to be kept by the State Auditor and Treasurer of State. The State Auditor shall keep an account of the 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 bond, the date of sale and the date when payable.

Sec. 8. Sale, how negotiated; proceeds appropriated. The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no such bond may be loaned, pledged or hypothecated in behalf of the State. The proceeds of the sale of the bonds, which shall be held by the Treasurer of State and paid by him upon warrants drawn by the Governor, are appropriated to be used solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the projects in sections 11 to 15 shall lapse to the debt service account established for the retirement of these bonds.

Sec. 9. Interest and debt retirement. Interest due or accruing upon any bonds issued under this Act and all sums coming due for payment of bonds at maturity shall be paid by the Treasurer of State.

Sec. 10. Disbursement of bond proceeds. The proceeds of the bonds shall be expended under the direction and supervision of the State Director of Public Improvements, except for the following areas:

1. Hazardous waste clean-up. Hazardous waste clean-up shall be expended under the direction of the Commissioner of Environmental Protection solely for on-site labor and materials for cleaning and restoring land and water contaminated by hazardous substances and related transportation and removal costs;

2. Water pollution control. Water pollution control, which shall be under the direction and supervision of the Commissioner of Environmental Protection; and

3. Community development. Community development, which shall be under the direction and supervision of the Director of State Planning.

Sec. 11. Allocations from General Fund bond issue; hazardous wastes and water pollution control. The funds allocated by this section shall be expended for the following:

ENVIRONMENTAL PROTECTION,  
DEPARTMENT OF

Hazardous Waste Cleanup Fund	\$2,000,000
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Any funds recovered from other parties in relation to hazardous waste clean-up for which funds allocated in this section have been expended shall revert to the General Fund debt service account.

Water Pollution Control	2,500,000
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Sec. 12. Allocation from General Fund bond issue; correctional facilities. The funds allocated by this section shall be expended for the following:

CORRECTIONS, DEPARTMENT OF

Correctional Facilities	\$7,500,000
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The funds allocated in this section are for the following projects:

Program Space - Maine Correctional Center	\$ 750,000
Female Unit - Maine Correctional Center	2,500,000
Perimeter Security - Maine Correctional Center	750,000
Segregation and Receiving Unit - Maine Correctional Center	1,925,000
Medium Security Unit - Maine Correctional Center	1,000,000
Add on Beds - Dorm III - Maine Correctional Center	105,000
Segregation - Charleston Correctional Facility	270,000
Planning and Engineering Costs	200,000
	<u>\$7,500,000</u>

Sec. 13. Allocation from General Fund bond issue; historic preservation. The funds allocated by this section shall be expended for the following:



EDUCATIONAL AND CULTURAL SERVICES,  
DEPARTMENT OF

Restoration and preservation of historic buildings, various sites, statewide \$1,500,000

Sec. 14. Allocation from General Fund bond issue; community development. The funds allocated by this section shall be expended for the following:

EXECUTIVE DEPARTMENT

State Planning Office

Community Development Block Grant Program \$2,000,000

Sec. 15. Allocations from General Fund bond issue; capital construction program. The funds allocated by this section shall be expended for the following:

PUBLIC SAFETY, DEPARTMENT OF \$1,494,000

Crime lab and morgue construction, Augusta

JUDICIAL DEPARTMENT \$1,100,000

District Court combination, Bath-Brunswick

District Court relocation, Skowhegan

FINANCE AND ADMINISTRATION,  
DEPARTMENT OF

\$3,000,000

Renovations and improvements to state parks; major projects at various state correctional facilities; renovations and improvements at vocational-technical institutes statewide; various projects at state armories; renovations and improvements at state mental health and mental retardation facilities; major projects at other state facilities and locations statewide.

Total \$5,594,000

Sec. 16. Transfer between items. The amount listed after each item is to be construed as a guide. Within each section, sections 11 to 15, any one or

more amounts may be exceeded with the approval of the Governor by transfer from one item to another not exceeding 10% in the aggregate.

Sec. 17. Bonds authorized but not issued. Any bonds authorized but not issued, or for which bond anticipation notes have not been issued within 5 years of the ratification of this Act, shall be deauthorized and may not be issued, provided 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. This section shall not apply to the water pollution control bonds in section 11.

Sec. 18. Unexpended bond proceeds. Any bond proceeds which have not been expended 10 years after the date of the sale of the bonds shall lapse to the General Fund debt service account.

Sec. 19. Contingent upon ratification of bond issue. Sections 6 to 15 shall not become effective unless and until the people of the State have ratified the issuance of bonds as set forth in this Act.

Sec. 20. Availability of matching funds. It is the intent of the Legislature that any of the improvements identified in this Act for which matching funds are required as indicated in federal law or state law or department programs shall have those matching funds available before state money is expended on the improvement. It is further the intent of the Legislature that any matching funds so received shall be expended in accordance with the plans on which these improvements are based, notwithstanding any legislative allocation limit.

Sec. 21. Appropriation balances at year end. At the end of each fiscal year, all unencumbered appropriation balances representing state moneys shall carry forward from year to year.

Sec. 22. Statutory referendum procedure; submission at statewide election; form of question; effective date. This Act shall be submitted to the legal voters of the State at a statewide election to be held on the Tuesday following the first Monday of November following passage of this Act. The city aldermen, town selectmen and plantation assessors 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:

"Shall a bond issue be authorized in the amount of \$21,094,000 to provide for various state facilities' projects and to provide for municipal facility improvements including: Necessary capital improvements at corrections' facilities; stabilization restoration of the state's most unique historic structures which are in public or nonprofit ownerships, such as forts, mansions, theaters, ships and lighthouses; a broad range of projects for improving, constructing, renovating, equipping and furnishing state departments' physical plant facilities, ranging from new District Courts for the Bath-Brunswick and Skowhegan areas to the repair of roofs, masonry and boilers on a statewide priority basis; hazardous waste cleanup; water pollution control projects; and establishment of a public facilities' grants program to assist municipalities in meeting their capital needs?"

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

Effective Pending Referendum.

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## CHAPTER 586

S.P. 641 - L.D. 1804

AN ACT to Ease Municipal Obligations under  
the Forest Fire Suppression Tax.

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