

# 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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**PRIVATE AND  
SPECIAL LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
and  
FIRST SPECIAL SESSION  
of the  
ONE HUNDRED AND ELEVENTH LEGISLATURE  
1983

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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 voters 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 58

S.P. 640 - L.D. 1801

AN ACT to Authorize a General Fund Bond  
Issue in the Amount of \$11,875,000  
for the Purpose of Making Air and Sea  
Transportation 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 for air and sea transportation improvements.

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

**Sec. 1.** Bond issue of \$11,875,000 authorized. 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 \$11,875,000, payable serially at the State Treasury within 20 years from date of issue. Such bonds and coupons shall be of such denominations and form and upon such terms and conditions, not inconsistent with this Act, as the Governor shall direct. The proceeds from the sale of the bonds shall be used for transportation improvement as authorized by section 4. The bonds shall be deemed a pledge of the faith and credit of the State. The bonds shall be issued from time to time so as to meet the needs of the transportation improvement program. The bonds when paid at maturity or otherwise retired shall not be reissued, but may be refunded on terms more favorable to the State than those in the

original issue.

Sec. 2. 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 from any money in the State Treasury not otherwise appropriated.

Sec. 3. Disbursement of bond proceeds. The proceeds of the bonds appropriated to the Department of Transportation shall be expended under the direction and supervision of the State Director of Public Improvements to the extent required by law.

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

TRANSPORTATION, DEPART-  
MENT OF

|  |              |
|--|--------------|
| Airport improvements                                   | \$ 1,000,000 |
| Cargo and ferry terminal improvements and construction | 10,000,000   |

This appropriation will be used as follows: (a) \$4,500,000 will be used to complete the development of the Sears Island terminal; (b) \$4,500,000 will be used to develop a public general cargo-handling facility in Portland; (c) Up to \$0.5 million of the \$4.5 million earmarked for the Portland facility could be used for a terminal for ferry services in Portland; and (d) \$1,000,000 will be used to match federal funds to rehabilitate and extend the Eastport breakwater, presently being used as a cargo pier.

|   |         |
|---|---------|
| Ferry service - new ferry and crew quarters | 875,000 |
|---|---------|

The amount of \$775,000 is included in this program for the construction of a new ferry to be used by the Maine State Ferry Service in Penobscot Bay and \$100,000 for the replacement of crew quarters at Vinalhaven and Islesboro.

Total \$11,875,000

It is the intent of the Legislature that any of the improvements in this section for which matching funds are required, as indicated in federal or state laws or department programs, shall have the matching funds available before state money is expended on the improvement.

Sec. 5. 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. 6. Acquisition of land. Land required for improvements undertaken directly by the Department of Transportation may be acquired for the purpose of making necessary improvements in the same manner as provided in the Revised Statutes, Title 23, section 154.

Sec. 7. Department of Transportation; authority. Consistent with existing law, in implementing this Act, the State, acting through the Department of Transportation, may enter into any agreements necessary to effect the purposes and authorization set forth in this Act.

Sec. 8. 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.

Sec. 9. 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 General Fund debt service.

Sec. 10. Transfer between items. The amount listed after each item is to be construed as a guide. Within section 4, 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. 11. Contingent upon ratification of bond issue. Sections 1 to 4 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. 12. Statutory referendum procedure; submission at statewide election; form of question; effective date. This Act shall be submitted to the legal voters of the State of Maine 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 \$11,875,000 to provide state funds which, together with available matching funds from federal and other sources, will be utilized for capital improvement projects directed toward enhancing economic development and related support systems throughout the State and will encompass: \$1,000,000 for upgrading facilities at 33 airports; port and marine transportation facilities' development as follows: Eastport area (\$1,000,000), Searsport (\$4,500,000) and Portland (\$4,500,000); and improvements to the state's island ferry service, including a new vessel (\$775,000) to serve Penobscot Bay and \$100,000 for replacement of crew quarters at Vinalhaven and Islesboro?"

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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