

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985
Chapters 384-End

AND AT THE

FIRST SPECIAL SESSION

November 13, 1985

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine
1985

**PRIVATE AND
SPECIAL LAWS**

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the

ONE HUNDRED AND TWELFTH LEGISLATURE

1985

1985-86

1986-87

rail assistance program and for the maintenance and insurance of the rail lines. In the event that any of the 4 legislative documents, informally referred to as the "Rail Policy Plan" should fail to be enacted by the First Regular Session of the 112th Legislature and the bond issue fails to be ratified by the voters, the funds appropriated in this section to the Department of Transportation shall lapse to the General Fund and the provisions of this section shall not become effective.

	_____	_____
Total	\$200,000	\$400,000

Effective date. Section 3 of this Act takes effect February 1, 1986.

Effective September 19, 1985, unless otherwise indicated.

CHAPTER 75

H.P. 1136 - L.D. 1642

AN ACT to Authorize a General Fund Bond
Issue in the Amount of \$850,000 for
Acquisition of Certain Rail Lines in Maine.

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 to provide for the acquisition of certain rail lines.

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

Sec. 1. Authorization of General Fund bonds to provide for the acquisition of certain rail lines. The Treasurer of State is authorized, under the direction of the Governor, to issue from time to time registered bonds in the name and behalf of the State to an amount not exceeding \$850,000 for the purpose of raising funds for the acquisition of certain rail lines as authorized by section 6 of this Act. The bonds shall be deemed a pledge of the full faith and credit of the State. The bonds shall not run for a longer period than 5 years from the date of the original issue of bonds. Any issuance of bonds may contain a call feature at the discretion of the Treasurer of State with the approval of the Governor.

Sec. 2. 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 of the bonds to the Treasurer of State who shall keep an account of each bond showing the number of the bond, the name of the successful bidder to whom sold, the amount received for the bond, the date of sale and date when payable.

Sec. 3. Sale; how negotiated; proceeds allocated and 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 State Controller, are allocated and appropriated to be used solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the projects in section 6 of this Act shall lapse to the debt service account established for the retirement of these bonds.

Sec. 4. 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. 5. Disbursements of proceeds of the bonds. The proceeds of the bonds set out in section 6 of

this Act shall be expended under the direction and supervision of the Commissioner of Transportation.

Sec. 6. Appropriation from the General Fund bond issue. The proceeds of the sale of bonds shall be expended to carry out the purposes of this Act.

Acquisition of the following rail lines \$850,000

Brewer to Calais, 126.92 miles (Calais Branch)

Hardings (Brunswick) to Rockland, 52.12 miles (Rockland Branch)

Steep Falls (Standish) to Maine-New Hampshire line (Fryeburg), 26.63 miles (Mountain Division)

Such other line or lines as the Commissioner of Transportation shall find to be part of the essential rail system of the State.

Sec. 7. State acquisition of rail lines. The Commissioner of Transportation shall not enter into any agreement to acquire rail lines with the proceeds of the bond issue authorized by this Act unless the rail lines to be acquired have been approved for abandonment by the I.C.C. and certificates authorizing abandonments become effective. Any labor protection costs imposed by the I.C.C. as a part of the authority to abandon a railroad line shall be borne by the abandoning railroad. The State will in no case assume the labor protection costs.

Sec. 8. Contingent upon ratification of bond issue. Sections 1 to 7 of this Act 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. 9. Allocation and appropriation balances at year end. At the end of each fiscal year, all encumbered allocation and appropriation balances representing state money shall carry forward from year to year. Bond proceeds which have not been expended within 10 years after the date of the sale of the bonds shall lapse to debt service of the appropriate fund.

Sec. 10. 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. 11. 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 the 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.

"Do you favor an \$850,000 bond issue for the acquisition, lease or rehabilitation of certain rail lines in Maine?"

The legal voters of each city, town and plantation shall vote by ballot on this question and shall designate their choice by cross or checkmark 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.

CHAPTER 76

H.P. 968 - L.D. 1403

AN ACT to Provide for a Pilot Program for
Treatment and Support of Incest Victims and
Survivors.

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