

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

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

**PRIVATE AND
SPECIAL LAWS**

OF THE

STATE OF MAINE

AS PASSED AT THE

SECOND SPECIAL SESSION

of the

ONE HUNDRED AND TWELFTH LEGISLATURE

1985

the disposal of solid waste in Maine. The committee shall review and compare Maine law with the laws of other states which export solid waste to Maine for disposal. The committee may request the assistance of the Department of Environmental Protection and other affected parties as necessary. The committee shall make maximum use of technical data and studies conducted previously by the department and other agencies as appropriate. The committee shall submit its report, together with any necessary legislation, to the First Regular Session of the 113th Legislature no later than March 15, 1987. The Legislative Council may provide staff support for the study.

Sec. 2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

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Legislative Account	
Personal Services	\$ 660
All Other	<u>3,050</u>
Total	\$3,710

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

Effective June 3, 1986.

CHAPTER 138

S.P. 695 - L.D. 1781

AN ACT to Authorize the Issuance of a
Bond not Exceeding \$5,000,000 for the
Financing of the Maine Inland
Fisheries and Wildlife Acquisition
Fund.

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 of the State, the proceeds of which to be credited to the Maine Inland Fisheries and Wildlife Acquisition Fund.

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

Sec. 1. Intent and purpose. The State recognizes the importance of its wildlife resources and further recognizes the importance of habitat in maintaining an abundance and variety of wildlife species.

The Legislature realizes that industrial and residential development is fast claiming many natural areas necessary for the survival of our wildlife and that areas accessible and open to the public are also disappearing.

The Legislature, having authorized the Maine Inland Fisheries and Wildlife Acquisition Fund through a bond issue in 1973, finds it necessary to continue the work of the fund in order to preserve this natural heritage for the future use, enjoyment and spiritual well-being of our citizens.

Sec. 2. Acquisition of interests in land and water. The Commissioner of Inland Fisheries and Wildlife shall from time to time acquire on behalf of the State lands and water or any interest therein by gift, devise, lease or purchase. Money from the fund established may be used for the lands and waters or rights therein and any incidental expenses incurred in the acquisition of the land, waters and rights.

Sec. 3. Considerations. In making acquisitions of interest in lands and waters, the Commissioner of Inland Fisheries and Wildlife shall consider and place importance upon future as well as present needs for wintering, resting, feeding and nesting areas for wildlife as well as areas where those interested in fish and wildlife may have access. These acquisitions may include, but are not limited to, deer yards, salt marshes, fresh marshes, stream borders, nesting islands, habitats for rare and endangered species, dams, water rights, public access to great ponds and abandoned farms.

Sec. 4. Rules. The commissioner may from time to time establish rules with respect to any such acquisition as he may deem necessary.

Sec. 5. Improvements. The commissioner may carry on any development work he feels necessary for the enhancement of the value of any acquisition for wildlife and that development work may be paid out of the proceeds of the fund.

Sec. 6. Maine Inland Fisheries and Wildlife Acquisition Fund. The bonds authorized by this Act shall be credited to the Maine Inland Fisheries and Wildlife Acquisition Fund and expenditures may be made as authorized by this Act to carry out the purposes of this Act.

Sec. 7. Issue of bonds. The Treasurer of State may, under the direction of the Governor, issue from time to time registered bonds in the name and behalf of the State to an amount not exceeding \$5,000,000 for the purposes of this Act. These bonds shall be deemed a pledge of the faith and credit of the State. The bonds shall not run for a longer period than 10 years from the date of the original issue of the bonds. The Treasurer of State may invest the proceeds of the sale of the bonds during the period when the proceeds are not needed for the purposes set forth in this Act and the interest shall be paid into the General Fund.

Sec. 8. Records of bonds issued to be kept by 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 bonds, the name of the person to whom sold, the amount received for the bond, the date of sale and the date when payable.

Sec. 9. Sale; how negotiated; proceeds appropriated. The Treasurer of State may negotiate the sale of 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 sales of the bonds, which shall be credited to the Maine Inland Fisheries and Wildlife Acquisition Fund and 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.

Sec. 10. 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. 11. Contingent upon ratification of bond issue. Section 1 to 10 of this Act shall not become effective unless and until the people of the State shall have ratified the issuance of bonds as set forth in this Act.

Sec. 12. Lapse of unused bonds. Bond proceeds from the sale of bonds under this Act which have not been expended 10 years after the date of the sale of the bonds shall lapse to General Fund debt service.

Sec. 13. 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. 14. Statutory referendum procedure; submission at general election; form of question; effective date. This Act shall be submitted to the legal voters of the State of Maine at the next general election in the month 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 in the amount of \$5,000,000 be ratified for the purpose of acquiring wildlife habitat and land for public outdoor recreation?"

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.

Sec. 15. Secretary of State shall prepare ballots. 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 139

H.P. 1639 - L.D. 2311

AN ACT to Authorize a General Fund Bond Issue
in the Amount of \$7,700,000 for
Various Projects at the University of
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 of Maine to provide funds for various projects at the University of Maine.

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

Sec. 1. Authorization of bonds to provide for various projects at the University of Maine. The Treasurer of State is authorized, under the direction of the Governor, to issue from time to time registered bonds in the name and on behalf of the State to an amount not exceeding \$7,700,000, for the purpose of raising funds to provide for various projects at the University of Maine as authorized by section 6. 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 the 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 bonds, the date of sale and the date when payable.