

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

AS PUBLIC LAWS AND CONSTITUTIONAL RESOLUTIONS

at the

THIRD SPECIAL SESSION

September 15, 1988 to September 16, 1988

and the

FOURTH SPECIAL SESSION

November 28, 1988

AND

AS PRIVATE AND SPECIAL LAWS AND RESOLVES

at the

FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

THIRD SPECIAL SESSION

September 15, 1988 to September 16, 1988

and the

FOURTH SPECIAL SESSION

November 28, 1988

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

Twin City Printery
Lewiston, Maine
1989

**PRIVATE AND
SPECIAL LAWS**

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the

ONE HUNDRED AND THIRTEENTH LEGISLATURE

1987

warrants drawn by the State Controller, are appropriated to be used solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in section 7 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. Disbursement of bond proceeds. The proceeds of the bonds set out in section 7 shall be expended under the direction and supervision of the Commissioner of Educational and Cultural Services as grants to local school administrative units for the purpose of funding a portion of those school administrative units' costs in purchasing school buses. The disbursement of bond proceeds authorized by this Act shall be separate and apart from any obligations which the State may have to school administrative units under the School Finance Act of 1985, as amended. The Commissioner of Educational and Cultural Services shall determine which school administrative units shall receive grants from bond proceeds authorized by this Act and the amount of those grants. These grants shall be made on the same matching basis as the division of state and local shares in the units' state and local allocation in the year prior to the year in which the grants are distributed.

Sec. 6. Study. The Commissioner of Educational and Cultural Services shall conduct a study to determine the most cost effective means of purchasing school buses. This study shall consider, but not be limited to, the potential savings resulting from bulk purchases by the State and meeting the varied needs of local school units. The commissioner shall report with necessary legislation to the joint standing committee having jurisdiction over appropriations and financial affairs by January 15, 1988.

Sec. 7. Allocations from General Fund bond issue; acquisition of school buses for Maine public schools. The proceeds of the sale of bonds shall be expended as necessary for the acquisition of school buses. No money may be expended until the proceeds of the sale of bonds are allocated by the 113th Legislature pursuant to the study in section 6.

Sec. 8. Contingent upon ratification of bond issue. Sections 1 to 7 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. Appropriation balances at year end. At the end of each fiscal year, all unencumbered 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 General Fund debt service.

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 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 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:

"Do you favor a \$5,000,000 bond issue for acquisition of school buses for Maine public schools?"

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 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 56

S.P. 614 — L.D. 1809

AN ACT to Authorize Kennebec County to Raise Up to \$9,500,000 for Construction and Improvement of Jail Facilities for Kennebec County.

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

Sec. 1. To raise money for construction and improvement of jail facilities for Kennebec County. The county commissioners of the County of Kennebec are authorized to raise and expend a sum not to exceed

\$9,500,000 for renovation and expansion of the county jail facility located in Augusta.

Sec. 2. Aid from other sources. The county commissioners of the County of Kennebec are authorized to borrow any portion of the sums herein authorized from or through any agency or department of the State of Maine and of the Federal Government. The county commissioners are authorized to receive grants of money and other assistance from or through any agency or department of the State of Maine and of the Federal Government for any of the purposes authorized in this Act.

Sec. 3. Bonds. To provide funds for the county jail facility, the treasurer of Kennebec County, with the approval of the county commissioners, may borrow from time to time upon the full faith and credit of the county such sums, not exceeding in the aggregate \$9,500,000, as may be necessary and may issue bonds therefor which shall bear on their face the words "Kennebec County Capital Improvement Bonds Act of 1987." Each authorized issue shall be payable in such annual installments, beginning not more than 2 years from the date thereof and not earlier than the year 1989, as will extinguish each loan in not more than 20 years from its date. The bonds shall be signed by the treasurer of the county and countersigned by the majority of the county commissioners. The county may sell the securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but at not less than par and accrued interest.

Sec. 4. Temporary notes. The county treasurer, with the approval of the county commissioners, may issue temporary notes of the county, payable in not more than one year from their dates, in anticipation of the issue of bonds under this Act and may renew the same, but the time within which such bonds shall become due and payable shall not, by reason of such temporary notes, be extended beyond the term fixed by this Act. Any notes issued in anticipation of the bonds shall be paid from the proceeds of the bonds.

Sec. 5. 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. 6. Funds not expended. If any proceeds from the sale of the bonds have not been expended within 10 years after the date of sale, those proceeds shall lapse to the county's debt service account.

Sec. 7. Referendum for ratification. This Act shall be submitted to the legal voters of Kennebec County at a statewide election in the month of November, but not later than 18 months after adjournment of the Legisla-

ture. The Kennebec County commissioners are authorized to expend such funds as are necessary to implement the referendum.

The county commissioners shall cause the preparation of the required ballots on which they shall state the subject matter of this Act in the following question:

"Shall the issuance of bonds be authorized in an amount not to exceed \$9,500,000 for construction and improvement of jail facilities for Kennebec County?"

The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

Except as otherwise provided in this section there shall be only one referendum under the authorization of this bill. If authorization of the issue is rejected by the voters, the question shall not be submitted again under the provision of this Act.

The ballot shall also contain the following information to be determined by the county commissioners, to be accurate as of the date when it is necessary to begin preparation of the ballot question.

1. A statement as to the total debt service of the requested issue divided into principal and interest and indicating the interest rate and period of the bond.

2. A statement as to the current bonded indebtedness prior to the requested bond issue.

This Act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters voting at the election; provided the total number of votes cast for and against the acceptance of this Act equals or exceeds 30% of the total votes for all candidates for Governor cast in the next previous gubernatorial election in the county. If at any such first election, the total number of votes cast for or against acceptance of this Act is less than 30% of the total votes for all candidates for Governor cast in the county in the next previous gubernatorial election, the county commissioners may submit the question to voters not more than one other time within the time prescribed in this section.

The result of such elections shall be declared by the Kennebec County commissioners and due certificate filed with the Secretary of State.

Effective pending referendum.

CHAPTER 57

H.P. 897 — L.D. 1198

AN ACT to Implement Project ASPIRE for High School Students in the State.