

# MAINE STATE LEGISLATURE

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**LAWS**

OF THE

**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND FOURTEENTH LEGISLATURE

**FIRST REGULAR SESSION**

December 7, 1988 to July 1, 1989

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
SEPTEMBER 30, 1989

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

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J.S. McCarthy Company  
Augusta, Maine  
1989

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**PRIVATE AND SPECIAL LAWS**

**OF THE**

**STATE OF MAINE**

**AS PASSED AT THE**

**FIRST REGULAR SESSION**

**of the**

**ONE HUNDRED AND FOURTEENTH LEGISLATURE**

**1989**

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Total General Fund	\$4,000,000
Total Highway Fund and General Fund Bonds	\$21,000,000

**Sec. 7. Allocation of Highway Fund bond issue.**

Receipt of the Highway Fund for the fiscal years, from July 1, 1989, to June 30, 1990, and from July 1, 1990, to June 30, 1991, from the proceeds of the sale of bonds shall be segregated, apportioned and expended as designated in the following schedule.

	1989-90	1990-91
Highway and Bridge Improvements	\$8,500,000	\$8,500,000

**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. Referendum for ratification; 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 \$21,000,000 bond issue for highway, state and local bridges, harbor and airport improvements?”

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 or 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 73**

**H.P. 554 - L.D. 752**

**An Act to Provide Funds for Dioxin Testing**

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

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

1989-90

**ENVIRONMENTAL PROTECTION,  
DEPARTMENT OF**

**Water Quality Control**

All Other \$35,000

Provides funds for the reimbursement of fees assessed to sewer districts and municipalities for the cost of sample collection and analysis of the dioxin contamination monitoring program.

See title page for effective date.

**CHAPTER 74**

**H.P. 519 - L.D. 704**

**An Act to Ensure Community-based Maternal and Child Health Nursing Services Commensurate with Increasing Costs and Community Needs**

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

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

	1989-90	1990-91
HUMAN SERVICES, DEPARTMENT OF		
Bureau of Health		
All Other	\$64,000	\$64,000

Provides funds to supplement the Block Grant funds allocated to the Bureau of Health to ensure the continuation and distribution of services rendered by the existing community-based maternal and child health contract agency nursing services.

See title page for effective date.

## CHAPTER 75

### H.P. 497 - L.D. 677

#### An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 to Fund a Capital Grants Program to Solid Waste Regional Commissions and Associations and Municipalities to Invest in Recycling Equipment and Facilities

**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 grants to solid waste regional commissions and associations and municipalities to pay for the capital costs associated with purchasing recycling equipment and facilities, pursuant to regional solid waste recycling and management plans.

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

**Sec. 1. Authorization of bonds to provide for fund grants to solid waste regional commissions and associations and municipalities to pay for the capital costs associated with purchasing recycling equipment and facilities.** 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 \$5,000,000 for the purpose of raising funds to provide for grants to solid waste regional commissions and associations and municipalities to pay for the capital costs associated with purchasing recycling equipment and facilities 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 period longer 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 same, the date of sale and the date when payable.

**Sec. 3. Sale; how negotiated; proceeds appropriated.** The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which shall be held by the Treasurer of State and paid by the Treasurer of State upon 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 6 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 6 shall be expended under the direction and supervision of the Commissioner of Environmental Protection.

**Sec. 6. Allocations from General Fund bond issue; fund grants to solid waste regional commissions and associations and municipalities to pay for the capital costs associated with purchasing recycling equipment and facilities.** The proceeds of the sale of bonds shall be expended as designated in the following schedule.

To pay for the capital costs associated with purchasing recycling equipment and facilities, \$5,000,000.

**Sec. 7. Contingent upon ratification of bond issue.** Sections 1 to 6 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. 8. 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. 9. 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. 10. Statutory referendum procedure; submission at statewide election; form of question; effective date.** This Act shall be submitted to the legal voters of