

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.

J.S. McCarthy Company
Augusta, Maine
1989

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST REGULAR SESSION

of the

ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

1989-90

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

**Municipal Implementation
Grants Program**

All Other \$6,000,000

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 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 \$6,000,000 bond issue for cleaning up and closing solid waste landfills that pose a hazard to public health and to ground water quality?”

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 82

H.P. 1187 - L.D. 1654

**An Act to Appropriate Funds to the
Department of Environmental Protection to
Provide Technical Assistance to Community
Waste Water Treatment Facilities**

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.

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**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

Water Quality Control

All Other \$60,000

Funds to be used to contract with the Maine Rural Water Association to provide technical assistance to community waste water treatment facilities.

See title page for effective date.

CHAPTER 83

S.P. 666 - L.D. 1779

**An Act Concerning the Medicaid Advisory
Committee to the Bureau of Medical Services in
the Department of Human Services**

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

Medical care advisory committee. The medical care advisory committee, which is established by 42 Code of Federal Regulations, Section 431.12 and which advises the Bureau of Medical Services, Department of Human Services, shall consist of at least one member that represents providers of mental health services, to be appointed in consultation with providers of services to mentally ill persons; and at least one member that either represents families affected by mental illness, to be appointed in consultation

with an alliance for the mentally ill, or represents mental health consumers, appointed in consultation with a coalition of psychiatrically labeled persons.

See title page for effective date.

CHAPTER 84

H.P. 1000 - L.D. 1389

An Act to Authorize a General Fund Bond Issue in the Amount of \$15,000,000 to Provide Funds for Acquiring and Preserving Land for Affordable Housing and for the Development of Affordable Housing

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 acquiring and preserving land for affordable housing and for the development of affordable housing.

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

Sec. 1. Authorization of bonds for affordable housing. 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 \$15,000,000 for the purpose of developing affordable housing as authorized by section 7. Of this amount:

1. \$4,000,000 shall be used to provide grants and low-interest loans to municipalities as governed by the Maine Revised Statutes, Title 30-A, chapter 201, subchapter II;
2. \$5,000,000 shall be used for the purpose of acquiring land for affordable housing as governed by Title 30-A, chapter 201, subchapter IV;
3. \$3,000,000 shall be used to preserve affordable housing under Title 30-A, chapter 201, subchapter XII;
4. \$2,000,000 shall be used to restore deteriorating residential areas as governed by Title 30-A, chapter 201, subchapter VI; and
5. \$1,000,000 shall be used to capitalize the Mortgage Insurance Fund administered by the Maine State Housing Authority.

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 10 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 such 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 projects in section 7 shall lapse to the debt service account established for the retirement of these bonds.

Sec. 4. Taxable bond option. With respect to bonds issued for purposes governed by Title 30-A, chapter 201, the Treasurer of State, at the direction of the Governor, shall covenant and consent that the interest on the bonds shall be includable, under the United States Internal Revenue Code, in the gross income of the holders of the bonds to the same extent and in the same manner that the interest on bills, bonds, notes or other obligations of the United States is includable in the gross income of the holders under the United States Internal Revenue Code or any subsequent law. The powers conferred by this section shall not be subject to any limitations or restrictions of any law which may limit the power to so covenant and consent. All efforts shall be made to maximize the use of tax-exempt bonds.

Sec. 5. 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. 6. Disbursement of bond proceeds. The proceeds of the bonds set out in section 7 shall be expended under the direction and supervision of the Department of Economic and Community Development and the Maine State Housing Authority as defined in section 7.

Sec. 7. Allocations from General Fund bond issue; affordable housing. The proceeds of the sale of bonds shall be expended as follows.

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**ECONOMIC AND COMMUNITY
DEVELOPMENT, DEPARTMENT OF**

Maine Housing Alliance