

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

**FIRST REGULAR SESSION**

December 5, 1990 to July 10, 1991

**FIRST SPECIAL SESSION**

July 11, 1991 to July 18, 1991

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 9, 1991

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  
1991

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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 FIFTEENTH LEGISLATURE**

**1991**

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**Departments and Independent Agencies - Statewide**

Personal Services \$400,000

Provides funds to make salary payments to Cycle B payroll employees for work performed in fiscal year 1990-91 and for workers' compensation expenses for which payment was scheduled to be made on July 8, 1991. Any funds not expended for this purpose lapse to Federal Block Grant funds.

**Sec. 9. Allocation.** The following funds are allocated from All Other funds to carry out the purposes of this Act.

1991-92

**FINANCE, DEPARTMENT OF**

**Departments and Independent Agencies - Statewide**

Personal Services \$1,000,000

Provides funds to make salary payments to Cycle B payroll employees for work performed in fiscal year 1990-91 and for workers' compensation expenses for which payment was scheduled to be made on July 8, 1991. Any funds not expended for this purpose lapse to their respective All Other funds.

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

Effective July 5, 1991.

**CHAPTER 44**

**H.P. 435 - L.D. 618**

**An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 for the Land for Maine's Future Program to Finance the Acquisition of Land for Conservation, Outdoor Recreation, Habitat Conservation and Public Access**

**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 the acquisition of land for conservation, outdoor recreation, habitat conservation and public access.

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

**Sec. 1. Authorization of bonds to provide for conservation, outdoor recreation, habitat conservation and public access.** The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and behalf of the State in an amount not exceeding \$5,000,000 to raise funds for the acquisition of lands for conservation, farmland including development rights, outdoor recreation, habitat conservation, public access and capital expenditures for improved access to the acquired lands as authorized by section 6. Any unused balance may be added to the Land for Maine's Future Fund in the ensuing year. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 5 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature.

**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. The Treasurer of State 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 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 must be held by the Treasurer of State and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in section 6 lapse to the debt service account established for the retirement of these bonds.

**Sec. 4. Interest and debt retirement.** The Treasurer of State shall pay interest due or accruing on any bonds issued under this Act and all sums coming due for payment of bonds at maturity.

**Sec. 5. Disbursement of bond proceeds.** The proceeds of the bonds must be expended as set out in section 6 under the direction and supervision of the Land for Maine's Future Board in the State Planning Office for acquisition of lands for conservation, outdoor recre-

ation, habitat conservation, public access and capital expenditures to improve access to the acquired lands.

**Sec. 6. Allocations from General Fund bond issue; conservation, outdoor recreation, habitat conservation and capital expenditures for improved access to acquired lands.** The proceeds of the sale of bonds must be expended as follows.

**EXECUTIVE DEPARTMENT**

**Land for Maine's Future Board**

All Other \$5,000,000

Acquisitions must be targeted to sites with outstanding recreational, scenic, natural or wildlife values.

**Sec. 7. Contingent upon ratification of bond issue.** Sections 1 to 6 do not become effective unless 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 carry forward. Bond proceeds that have not been expended within 10 years after the date of the sale of the bonds 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 are not issued within 5 years of ratification of this Act, are deauthorized and may not be issued; except 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. Referendum for ratification; submission at statewide election; form of question; effective date.** This Act must be submitted to the legal voters of the State of Maine at a statewide election held on the Tuesday following the first Monday of November following passage of this Act. The municipal officers 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 the purchase of outstanding recreational and scenic lands, wildlife habitat conservation and increasing public access for Maine’s people?”

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their

choice by a cross or check mark placed within a corresponding square below the word “Yes” or “No.” The ballots must 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 a majority of the legal votes are cast in favor of the Act, the Governor shall proclaim the result without delay, and the Act becomes 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 45**

**H.P. 1349 - L.D. 1942**

**An Act Making Additional Allocations from the Highway Fund for the Expenditures of State Government for the Fiscal Year Ending June 30, 1991**

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses will become due and payable prior to July 1, 1991; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. Additional allocations from Highway Fund.** There are allocated from the Highway Fund for the fiscal year ending June 30, 1991 to the departments listed, the following sums:

1990-91

**FINANCE, DEPARTMENT OF**

**Salary Plan**

Personal Services (\$5,450,000)