

# 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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**Sec. 6. Allocations from General Fund bond issue; purchase of equipment and construction costs for solid waste disposal and recycling facilities.** The proceeds of the sale of bonds must be expended as designated in the following schedule.

<b>1991-92</b>	
<b>ENVIRONMENTAL PROTECTION, DEPARTMENT OF</b>	
<b>Site Evaluation and Planning Program</b>	\$2,100,000
<b>Municipal Implementation Grants Program</b>	2,900,000
<b>DEPARTMENT OF ENVIRONMENTAL PROTECTION</b>	
<b>TOTAL</b>	\$5,000,000
<b>MAINE WASTE MANAGEMENT AGENCY</b>	
<b>Office of Waste Reduction and Recycling</b>	
All Other	\$5,000,000
These funds will be used to help municipalities with the purchase of equipment and construction costs for recycling facilities through grants and loans, including revolving loans.	
<b>TOTAL ALLOCATIONS</b>	\$10,000,000

**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 \$10,000,000 bond issue for providing funds to help municipalities with the purchase of equipment and construction costs for solid waste disposal and recycling facilities?”

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 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 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 47

S.P. 502 - L.D. 1340

### An Act to Authorize a General Fund Bond Issue in the Amount of \$16,500,000 for Capital Construction to Protect Public Water Supplies and Capital Construction of Water Pollution Control 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 to help municipalities and water districts with the costs of capital construction to protect public water supplies and to provide funds for construction of water pollution control facilities.

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

**Sec. 1. Authorization of bonds to provide for costs of capital construction to protect public water supplies and capital construction of water pollution control facilities.** 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 \$16,500,000 to raise funds for municipalities and water districts to help with the costs of capital construction to protect public water supplies and to raise funds for water pollution control facilities as authorized by section 6. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 15 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 Maine Municipal Bond Bank for the Safe Drinking Water Revolving Loan Fund and the Department of Environmental Protection for construction of water pollution control facilities.

**Sec. 6. Allocations from General Fund bond issue; costs of capital construction to protect public water supplies and for water pollution control facilities.** The proceeds of the sale of bonds must be expended as follows.

DEPARTMENT OF ENVIRONMENTAL PROTECTION \$13,800,000

1991-92

These funds will be used for the construction of water pollution control facilities.

**MAINE MUNICIPAL BOND BANK**

Safe Drinking Water Revolving Loan Fund 2,700,000

These funds will be used to help municipalities and water districts with the costs of capital construction to meet the requirements of the federal Safe Drinking Water Act and amendments and related expenses.

TOTAL ALLOCATIONS \$16,500,000

**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 \$16,500,000 bond issue to help municipalities and water districts with the costs of capital construction to protect public water supplies and to provide funds for the constructions of water pollution control facilities?"

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 48**

**H.P. 559 - L.D. 802**

**An Act to Authorize a General Fund Bond Issue in the Amount of \$5,500,000 for Construction, Purchasing and Renovation of Correctional 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 construction, purchasing and renovation of correctional facilities.

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

**Sec. 1. Authorization of bonds to provide for construction, purchasing and renovation of correctional facilities.** 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 \$5,500,000 to raise funds for construction, purchasing and renovation of correctional facilities as authorized by section 6. 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 Director of Public Improvements in consultation with the Commissioner of Corrections.

**Sec. 6. Allocations from General Fund bond issue; correctional facilities.** The proceeds of the sale of bonds must be expended as designated in the following schedule.

**CORRECTIONS, DEPARTMENT OF**

One 50-bed prerelease center in Cumberland County or York County	\$1,550,000
One community-based diversion and restitution center in Androscoggin County or Penobscot County	1,550,000
One 50-bed minimum security housing unit at the Downeast Correctional Center	1,350,000
Reconstruction and renovations at the Maine State Prison at Thomaston	1,000,000
Establishment of a women's unit in Hallowell	50,000

<b>DEPARTMENT OF CORRECTIONS TOTAL</b>	<b>\$5,500,000</b>
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**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.