

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 28, 1995 to December 1, 1995**

**SECOND REGULAR SESSION**  
**January 3, 1996 to April 4, 1996**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 4, 1996**

**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**  
**1995**

**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 general election; form of question; effective date.**

This Act must be submitted to the legal voters of the State of Maine at the next general election in the month 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 general 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 the following purposes: (1) \$8,000,000 to construct water pollution control facilities, providing the state match for \$10,000,000 in federal funds; and (2) \$2,000,000 to address environmental health deficiencies in drinking water supplies?"

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.

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**CHAPTER 83**

**H.P. 1336 - L.D. 1830**

**An Act to Make Supplemental Allocations from the Highway Fund, Allocations from Other Funds and a General Fund Appropriation and to Amend Certain Transportation Laws**

**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 July 1, 1996, the beginning of the next fiscal year; and

Whereas, certain obligations and expenses become due and payable prior to July 1, 1996; 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:**

**PART A**

**Sec. A-1. Allocations.** The following funds are allocated from the Highway Fund for the fiscal years ending June 30, 1996 and June 30, 1997, to the departments listed, to carry out the purposes of this Part.

**1995-96**

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Salary Plan**

Personal Services	\$3,376,543
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Provides for the allocation of funds to correct an entry in Public Law 1995, chapter 504, Part A, section 1.

**DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES TOTAL**

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3,376,543

**TRANSPORTATION, DEPARTMENT OF**

**Bridge Maintenance**

Personal Services	(400,000)
All Other	400,000

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TOTAL	-0-
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Provides for the allocation of funds through the transfer of salary savings to All Other for additional bridge maintenance operating expenditures and vehicle costs.

**Highway Maintenance**

Personal Services (1,300,000)  
All Other 1,300,000

TOTAL -0-

Provides for the allocation of funds through the transfer of salary savings to All Other for the purpose of providing emergency building repairs to the Scarborough Division Office and for providing additional funding for necessary spring ditch digging.

**Traffic Service**

Personal Services (100,000)  
All Other 100,000

TOTAL -0-

Provides for the allocation of funds through the transfer of salary savings to All Other for the purchase of paint supplies for the upcoming pavement striping season.

**DEPARTMENT OF TRANSPORTATION TOTAL**

**SECTION TOTAL ALLOCATIONS** \$3,376,543

**Sec. A-2. Allocations.** The following funds are allocated from the Federal Expenditures Fund for the fiscal years ending June 30, 1996 and June 30, 1997, to the departments listed, to carry out the purposes of this Part.

**TRANSPORTATION, DEPARTMENT OF**

**Collector Road Program**

All Other \$1,100,000  
Capital Expenditures 600,000

Provides for the allocation of funds from revenues received from the Federal Highway Administration as provided by Public Law 1995, chapter 498, Part B, section 1.

**DEPARTMENT OF TRANSPORTATION TOTAL** 1,700,000

**SECTION TOTAL ALLOCATIONS** \$1,700,000

**Sec. A-3. Allocations.** The following funds are allocated from Other Special Revenue funds for the fiscal years ending June 30, 1996 and June 30, 1997, to the departments listed, to carry out the purposes of this Part.

1995-96 1996-97

**TRANSPORTATION, DEPARTMENT OF**

**Administration - Aeronautics**

All Other \$50,000 \$200,000

Provides for the allocation of funds for the local share of municipal airport Federal Aviation Administration projects.

**Collector Road Program**

All Other 1,100,000  
Capital Expenditures 600,000

**TOTAL** 1,700,000

Provides for the allocation of funds from revenues received from municipalities participating in the Collector Road Improvement Fund as provided by Public Law 1995, chapter 498, Part B, section 1.

**Railroad Assistance Program**

All Other 165,000

Provides for the allocation of funds for the grant loan

program as required for the continuing use of Federal Railroad Administration funds.

<b>DEPARTMENT OF TRANSPORTATION</b>		
<b>TOTAL</b>	50,000	2,065,000
<b>SECTION</b>		
<b>TOTAL ALLOCATIONS</b>	\$50,000	\$2,065,000

**PART B**

**Sec. B-1. Highway Fund salary plan; lapsed balances.** Notwithstanding any other provision of law, \$3,376,543 of the unencumbered balance forward from fiscal year 1994-95 in the salary plan account in the Department of Administrative and Financial Services lapses to the Highway Fund in fiscal year 1995-96.

**PART C**

**Sec. C-1. Augusta State Airport transition plan.** The Department of Transportation is directed to pursue negotiations with the City of Augusta for operation of the Augusta State Airport. The department is further directed to develop a transition plan that will address the transfer of airport operations, infrastructure improvements and funding considerations. The department shall submit this transition plan during the First Regular Session of the 118th Legislature to the joint standing committee of the Legislature having jurisdiction over transportation matters no later than January 15, 1997 and shall advise the committee during the implementation of this plan. The committee may report out legislation regarding this transition plan.

**PART D**

**Sec. D-1. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Part.

**1995-96**

**PUBLIC SAFETY, DEPARTMENT OF**

**State Police**

Capital Expenditures	\$75,000
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Provides funds for the construction of a DNA wing for the state crime laboratory. This appropriation represents 25% of the total estimated cost. Notwithstanding any other provision of law, any

unencumbered balance appropriated for this purpose may not lapse but must be carried forward until June 30, 1997 and must be used for construction of the DNA wing of the state crime laboratory.

**Sec. D-2. Allocation.** The following funds are allocated from the Highway Fund to carry out the purposes of this Part.

**1995-96**

**PUBLIC SAFETY, DEPARTMENT OF**

**State Police**

Personal Services	(\$500,000)
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Deallocates funds due to salary savings resulting from the delay in the start of the State Police class at the Maine Criminal Justice Academy until November 5, 1995.

**State Police**

Capital Expenditures	225,000
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Provides funds for the construction of a DNA wing for the state crime laboratory. This allocation represents 75% of the total estimated cost. Notwithstanding any other provision of law, any unencumbered balance allocated for this purpose may not lapse but must be carried forward until June 30, 1997 and must be used for construction of the DNA wing of the state crime laboratory.

**DEPARTMENT OF PUBLIC SAFETY**

<b>TOTAL</b>	<u>(\$275,000)</u>
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**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective April 11, 1996.

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