

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

SECOND REGULAR SESSION
January 7, 1998 to March 31, 1998

SECOND SPECIAL SESSION
April 1, 1998 to April 9, 1998

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 1998

SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 9, 1998

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
1997

PRIVATE AND SPECIAL LAWS OF THE STATE OF MAINE
AS PASSED AT
THE SECOND SPECIAL SESSION OF THE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
1997

CHAPTER 82

S.P. 611 - L.D. 1812

**An Act to Authorize Department of
 Transportation Bond Issues in the
 Amount of \$36,985,000 to Match
 Available Federal Funds for
 Improvements to Municipal and
 State Roads, Airports, State Ferry
 Vessels and Terminals, Transit
 Facilities and Equipment and Rail
 and Marine 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 match available federal funds for improvements to municipal and state roads, airports, state ferry vessels and terminals, transit facilities and equipment and rail and marine facilities.

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

Sec. 1. Authorization of bonds to provide for improvements to municipal and state roads, airports, state ferry vessels and terminals, transit facilities and equipment and rail and marine facilities. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$36,985,000 to provide funds to match available federal funds for improvements to municipal and state roads, airports, state ferry vessels and terminals, transit facilities and equipment and rail and marine 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 20 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 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 Commissioner of Transportation.

Sec. 6. Allocations from Highway Fund and General Fund bond issues; improvements to municipal and state roads, airports, state ferry vessels and terminals, transit facilities and equipment and rail and marine facilities. The proceeds of the sale of bonds must be expended as designated in the following schedule.

**TRANSPORTATION,
DEPARTMENT OF**

General Fund

Airport improvements	\$1,000,000
Marine facility, ferry vessel and terminal improvements	17,710,000
Rail facility improvements	3,500,000
Transit facilities and equipment	325,000

General Fund Total \$22,535,000

Highway Fund

Highway improvements and collector road award program	\$4,700,000
Local road assistance program	9,750,000

Highway Fund Total \$14,450,000

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 or Highway 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 the June 1998 primary election 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 \$36,985,000 bond issue for improvements to municipal and state roads, airports, state ferry vessels and terminals, transit facilities and equipment and rail and marine facilities that makes the State eligible for over \$60,000,000 in matching federal, local and private funds?"

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 83

H.P. 1431 - L.D. 1995

An Act to Appropriate Funds for Library Resource Sharing and for Acquisitions for the Maine State Library

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

Sec. 1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1998-99

MAINE STATE LIBRARY

Reader and Information Services - Library

All Other	\$200,000
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Provides funds on a one-time basis to increase the Maine State Library's acquisition budget for the purchase of library materials.

See title page for effective date.

CHAPTER 84

H.P. 1521 - L.D. 2143

An Act to Restore Advocacy Services for Handicapped Students

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

Sec. 1. Funding for advocacy services for students with learning disabilities. Maine Advocacy Services shall use the funds appropriated in accordance with section 2 to provide advocacy services for students with learning disabilities as defined under the Maine Revised Statutes, Title 5, section 19503, subsection 6. These funds must be utilized solely to provide students with learning disabilities with advocacy services in special education matters.