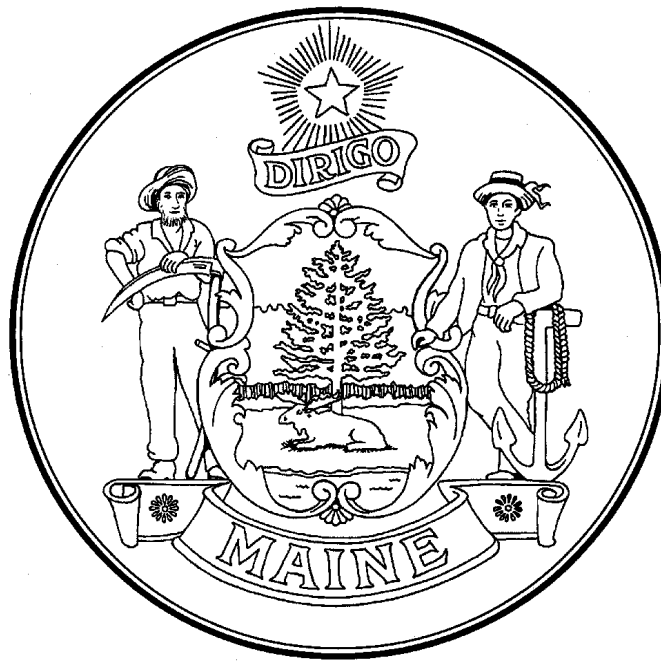


# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**  
**ONE HUNDRED AND TWENTIETH LEGISLATURE**  
**FIRST REGULAR SESSION**  
**December 6, 2000 to June 22, 2001**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
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**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**  
**2001**

**CHAPTER 35**

**S.P. 506 - L.D. 1593**

**An Act to Authorize a General Fund Bond Issue in the Amount of \$12,000,000 to Address the Affordable Housing Crisis in the State**

**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 affordable housing.

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

**Sec. 1. Authorization of bonds to address affordable housing crisis.** 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 \$12,000,000 to raise funds for the Maine State Housing Authority to address the affordable housing crisis in Maine by rehabilitating existing housing, acquiring affordable land and creating new permanent affordable rental units and owner-occupied rental units with attention to the affected populations 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 10 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 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 State Housing Authority.

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

<b>MAINE STATE HOUSING AUTHORITY</b>	\$10,000,000
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To address the affordable housing crisis across the State by renovating or replacing affordable apartments and homes, by providing housing for people who are homeless, by reducing the costs of acquiring land for the development of new affordable housing, by providing predevelopment costs to nonprofit housing organizations and providing housing for mental health services consumers.

<b>MAINE STATE HOUSING AUTHORITY</b>	\$2,000,000
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To provide housing for victims of domestic violence.

**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 the 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 \$12,000,000 bond issue to provide:

1. The sum of \$10,000,000 to address the affordable housing crisis in Maine; and
2. The sum of \$2,000,000 to provide housing for victims of domestic violence?"

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 this Act, the Governor shall proclaim the result without delay, and this 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 36**

**H.P. 653 - L.D. 853**

**An Act to Ensure Access to Assisted Living Services Programs**

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

**Whereas,** unless this legislation is enacted as an emergency measure, the Commission to Study Assisted Living will be unable to complete its work in a timely manner; 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. Commission to Study Assisted Living.** There is established the Commission to Study Assisted Living, referred to in this section as the "commission," to study assisted living options for the State in order to develop high-quality, cost-effective assisted living housing and service programs to serve the growing population of elderly and disabled persons in appropriate community center locations across the State.

**1. Membership.** The commission consists of 21 members appointed as follows:

A. Four members of the Senate, appointed by the President of the Senate. In making these appointments, preference must be given to members of the Joint Standing Committee on Health and Human Services. The first named Senator serves as Senate chair;

B. Four members of the House of Representatives, appointed by the Speaker of the House. In making these appointments, preference must be given to members of the Joint Standing Committee on Health and Human Services. The first named member of the House of Representatives serves as House chair;

C. Five members appointed by the President of the Senate as follows:

- (1) One person representing older persons; one person representing providers of long-term care, including assisted living services; one person representing developers of assisted living services; one person representing a statewide organization that invests in tax credit financed assisted living programs; and one person representing assisted living services providers;

D. Five members appointed by the Speaker of the House of Representatives as follows:

- (1) One person representing providers of affordable assisted living services; one person representing private market providers of assisted living services; one person representing area agencies on aging; one person representing a community-based nonprofit organization that lends money for