

**VOTER
GUIDE
11-05-2019
ELECTION**

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ADDITIONAL ABSENTEE HOURS

Saturday, October 26, 2019	9:00AM to 12:00PM
Sunday, October 27, 2019	10:00AM to 12:00PM
Thursday, October 31, 2019	4:30PM to 7:30PM

Please note that the times listed above are additional hours. The Town Clerk's Office is open Monday-Friday from 8:00AM to 4:30PM Absentee Voting may take place at these times also.

**WARRANT FOR SPECIAL TOWN MEETING
TOWN OF KENNEBUNK
NOVEMBER 5, 2019**

To Linda Johnson, a resident of the Town of Kennebunk, you are hereby required to notify and warn the inhabitants of the Town of Kennebunk, County of York and State of Maine, qualified by law to vote in Town affairs, to assemble in the Edward C. Winston Auditorium in said Town on Tuesday, November 5, 2019, A.D., at six (6:00) o'clock in the morning (polls close at 8:00PM) then and there to act on the following articles:

ARTICLE 1:

To choose a Moderator to preside at said meeting.

ARTICLE 2: Referendum Question A

To see if the Town will vote to purchase property located at 15 Portland Road for a price of \$765,000, plus \$60,000 for closing costs, maintenance of the property for the remainder of fiscal year 2020, and other land improvements as determined to be necessary by the Board of Selectmen, for a total cost of \$825,000, and to appropriate funds from the following sources to cover such purchase price and other costs:

- \$100,000 from the Land – Municipal Employee Parking capital fund (bond proceeds from the bond authorized at the June 9, 2015 Town Meeting for various projects);
- \$384,932 from the Park Street School and Cousens School capital fund (remaining proceeds from the sale of the two schools);
- \$242,696 from the Route 1 TIF special revenue fund (remaining bond proceeds previously approved by Town Meeting vote of June 10, 2014 on a bond authorizing various projects);
- \$97,372 from the unassigned general fund balance (“surplus”).

Note: All of the sources of funds listed above are currently held by the Town. No additional new debt is needed to purchase the property. No increases to the Town’s property tax mil rate are anticipated. All debt service relating to the use of existing bond proceeds will be paid from the Debt Service & Lease/Purchase capital fund. No Route 1 TIF special revenue funds will be used to pay any debt service on the existing bond proceeds.

Selectmen recommend acceptance of this article by a vote of 7 in favor, 0 opposed.

Budget Board recommends acceptance of this article by a vote of 3 in favor, 2 opposed, 2 absent.

(Additional information about the proposed capital purchase is available for review and inspection at the Town Clerk’s Office, on the Town’s website at www.kennebunkmaine.us, or at the polling place prior to voting.)

ARTICLE 3: Referendum Question B

To see if the Town will vote to authorize the Board of Selectmen to enter into an agreement with the City of Sanford to provide emergency dispatch services from 2020-2023, in the amount of \$291,052.62 for FY 2020-2021, \$303,902.24 for FY 2021-2022, and \$316,715.86 for FY 2022-2023, which agreement shall be in a form substantially similar to that shown in a copy available at the Town Clerk’s office.

Selectmen recommend acceptance of this article by a vote of 7 in favor, 0 opposed.

(Additional information is available for review and inspection at the Town Clerk’s Office, on the Town’s website at www.kennebunkmaine.us, and at the polling place prior to voting.)

ARTICLE 4: Referendum Question C

To see if the Town will vote to accept as a Town Way, **Higgins Drive**, as depicted on the Subdivision Plan of Howard Farm for Dan and Greer Higgins by Stantec Consulting Services, Inc. approved June 30, 2016 by the Kennebunk Planning Board and as recorded in the York County Registry of Deeds in Plan Book 383, Page 15 on July 7, 2016.

Selectmen recommend acceptance of this article by a vote of 7 in favor, 0 opposed.

(Additional information is available for review and inspection at the Town Clerk's Office, on the Town's website at www.kennebunkmaine.us, and at the polling place prior to voting.)

ARTICLE 5: Referendum Question D

To see if the Town will vote to accept as a Town Way, **Flagship Circle**, as depicted on the Subdivision of Land Plan for LEB, LLC by Anderson-Livingston Engineers, Inc. approved June 12, 2017 by the Kennebunk Planning Board and as recorded in the York County Registry of Deeds in Plan Book 389, Page 3 on June 13, 2017.

Selectmen recommend acceptance of this article by a vote of 7 in favor, 0 opposed.

(Additional information is available for review and inspection at the Town Clerk's Office, on the Town's website at www.kennebunkmaine.us, and at the polling place prior to voting.)

A True Copy

Attest:



**Merton Brown
Town Clerk**

4

OFFICIAL BALLOT
SPECIAL TOWN MEETING
TOWN OF KENNEBUNK
NOVEMBER 5, 2019

Merton Brown
Merton Brown, Town Clerk

INSTRUCTION TO VOTERS

COMPLETELY FILL IN THE OVAL OPPOSITE YOUR CHOICE AS SHOWN
COMPLETING THE YES OVAL MEANS YOU ARE IN FAVOR
COMPLETING THE NO OVAL MEANS YOU ARE OPPOSED
IF YOU MAKE A MISTAKE, YOU MAY REQUEST A NEW BALLOT

Referendum Question A:

To see if the Town will vote to purchase property located at 15 Portland Road for a price of \$765,000, plus \$60,000 for closing costs, maintenance of the property for the remainder of fiscal year 2020, and other land improvements as determined to be necessary by the Board of Selectmen, for a total cost of \$825,000, and to appropriate funds from the following sources to cover such purchase price and other costs:

\$100,000 from the Land – Municipal Employee Parking capital fund (bond proceeds from the bond authorized at the June 9, 2015 Town Meeting for various projects;

\$384,932 from the Park Street School and Cousens School capital fund (remaining proceeds from the sale of the two schools);

\$242,696 from the Route 1 TIF special revenue fund (remaining bond proceeds previously approved by Town Meeting vote of June 10, 2014 on a bond authorizing various projects;

\$97,372 from the unassigned general fund balance (“surplus”).

Note: All of the sources of funds listed above are currently held by the Town. No additional new debt is needed to purchase the property. No increases to the Town's property tax mil rate are anticipated. All debt service relating to the use of existing bond proceeds will be paid from the Debt Service & Lease/Purchase capital fund. No Route 1 TIF special revenue funds will be used to pay any debt service on the existing bond proceeds.

Selectmen recommend acceptance of this article by a vote of 7 in favor, 0 opposed.

Budget Board recommends acceptance of this article by a vote of 3 in favor, 2 opposed, 2 absent.

YES
NO

MORE QUESTIONS ON THE BACK

PLEASE TURN OVER



Referendum Question B:

To see if the Town will vote to authorize the Board of Selectmen to enter into an agreement with the City of Sanford to provide emergency dispatch services form 2020-2023, in the amount of \$291,052.62 for FY 2020-2021, \$303,902.24 for FY 2021-2022, and \$316,715.86 for FY 2022-2023, which agreement shall be in a form substantially similar to that shown in a copy available at the Town Clerk's office.

Selectmen recommend acceptance of this article by a vote of 7 in favor, 0 opposed.

YES
NO

Referendum Question C:

To see if the Town will vote to accept as a Town Way, Higgins Drive, as depicted on the Subdivision Plan of Howard Farm for Dan and Greer Higgins by Stantec Consulting Services, Inc. approved June 30, 2016 by the Kennebunk Planning Board and as recorded in the York County Registry of Deeds in Plan Book 383 Page 15 on July 7, 2016.

Selectmen recommend acceptance of this article by a vote of 7 in favor, 0 opposed.

YES
NO

Referendum Question D:

To see if the Town will vote to accept as a Town Way, Flagship Circle, as depicted on the Subdivision of Land Plan for LEB, LLC by Anderson-Livingston Engineers, Inc. approved June 12, 2017 by the Kennebunk Planning Board and as recorded in the York County Registry of Deeds in Plan Book 389 Page 3 on June 13, 2017.

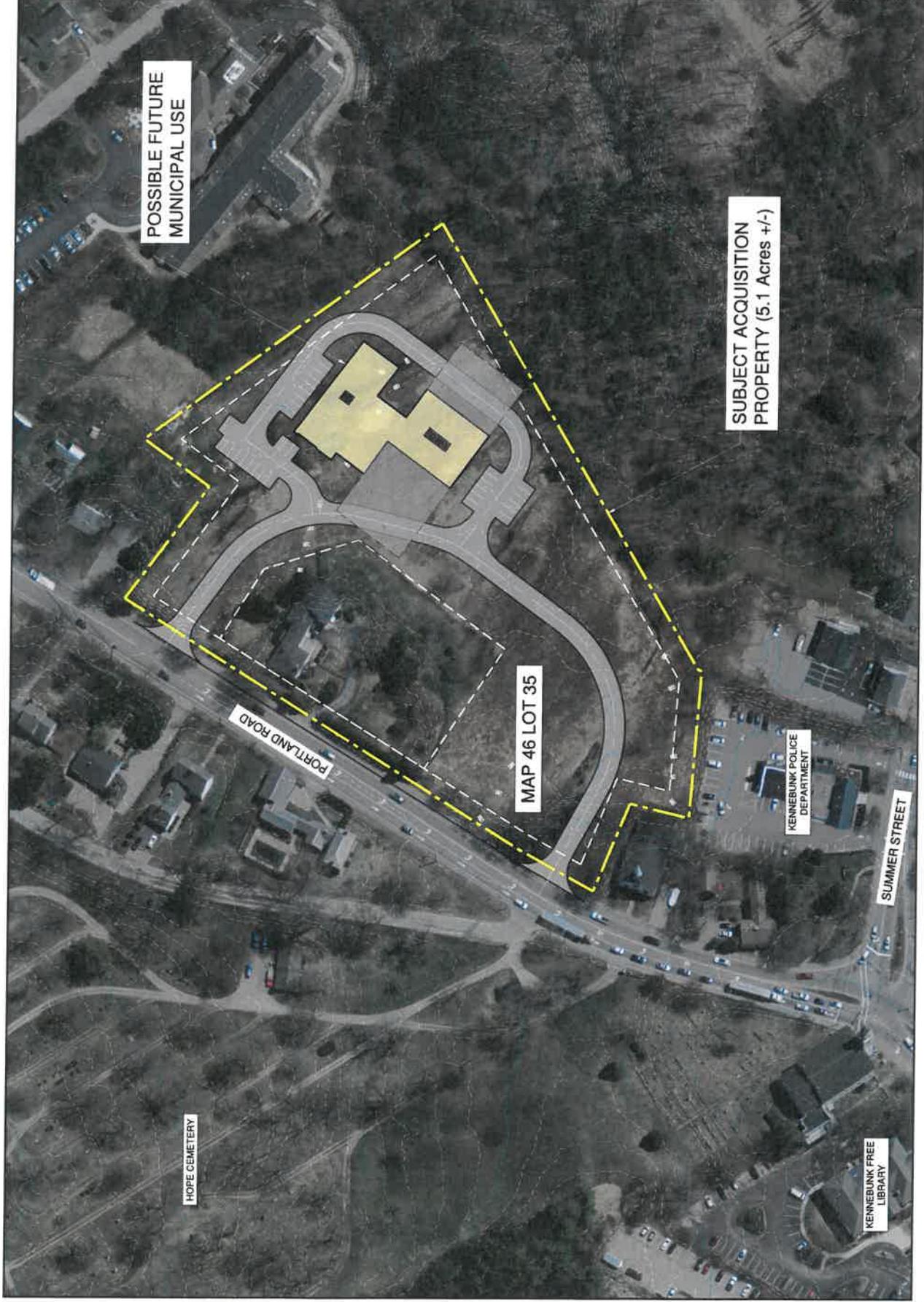
Selectmen recommend acceptance of this article by a vote of 7 in favor, 0 opposed.

YES
NO

YOU HAVE COMPLETED VOTING

Lana Purchase 15 Portland Rd Question A 6

TOWN OF KENNEBUNK 1 SUMMER STREET KENNEBUNK, MAINE 04043 (207) 866-2102 WWW.KENNEBUNKMAINE.US		REV. DATE: 03/06/2008 DESCRIPTION:	PROJECT: 15 PORTLAND ROAD CONCEPT PLAN		SHEET TITLE: 15 PORTLAND ROAD CONCEPT PLAN - OVERALL
					CAD FILE: 15PORTLAND (PFB) 12/19/07



AGREEMENT
BETWEEN
CITY OF SANFORD
AND
TOWN OF KENNEBUNK

This Agreement is between the City of Sanford, Maine, with a mailing address of 919 Main Street, Sanford, Maine 04073 ("Sanford") and the Town of Kennebunk, with a mailing address of 1 Summer Street, Kennebunk Maine, 04043-1897 ("Town"), hereinafter referred to jointly as the "Parties."

WHEREAS, the City of Sanford has an obligation to provide dispatch and Public Safety Answering Point Services; and

WHEREAS, the Town wishes to contract with Sanford for the provision of dispatch and PSAP Services; and

WHEREAS, Sanford is willing to provide dispatch and PSAP Services:

NOW THEREFORE, in consideration of the premises and the covenants set forth herein, the parties agree as follows:

1. Sanford agrees to furnish to the Town all qualified personnel, facilities and materials necessary to provide dispatch and Public Safety Answering Point (PSAP) Services.
2. Sanford shall provide to the Town:
 - A. Digital Audio recordings of 9-1-1 calls received in connection with the performance of emergency communication services under this Agreement, upon the request of the Town.
 - B. Digital Audio recordings of radio and, or telephone calls received in connection with the performance of dispatch services under this Agreement, upon the request of the Town (for court and investigative purposes).
 - C. Copies of any notices from the ESCB that PSAP Services failed to meet the standards established by the ESCB.
 - D. Provide adequate facilities, equipment and personnel to carry out the purposes stated in the PSAP standards of the State of Maine.
 - E. Provide call answering, which shall include but not be limited to all emergency and non-emergency calls for service.

F. Provide emergency communications service, which shall include but not be limited to dispatching personnel and equipment for emergency and non-emergency calls for service, dispatching for all on-going incidents, as well as coordination of all support services as deemed appropriate by the Incident Commander and/or authorized agency personnel.

G. Provide METRO / NCIC (Maine Telecommunications and Routing Operations / National Crime Information Center) services, as needed or requested by the Law Enforcement branch of the Town. A Secondary Users agreement must be signed by the chief law enforcement officer of the Town (the Kennebunk Police Chief).

H. Ensure that all the calls for service are dispatched to the appropriate service providers for the Town.

I. Provide all services in the most cost effective and efficient manner possible.

3. The term of this Agreement shall be for three (3) years commencing July 1, 2020 and ending June 30, 2023. This agreement may be extended by mutual consent of the parties. Any extension of the term of this Agreement must be approved by both parties in writing and must set forth the terms and conditions of such extension, including, but not limited to, without limitation any change in the annual charge or level of service provided for dispatch and PSAP Services.

4. Sanford Dispatch is a regional dispatch center. The goal of the dispatch center is to provide services at costs that are equitable for all of the partner agencies. Fees for the contract shall be as follows:

Year 1 (July 1, 2020-June 30, 2021): \$291,052.62

Year 2 (July 1, 2021-June 30, 2022): \$303,902.24

Year 3 (July 1, 2022-June 30, 2023): \$316,751.86

The fee shall be paid in quarterly installments within 30 days after the Town's receipt of an invoice from the City of Sanford.

5. Sanford shall maintain the current radio configuration.

6. This Agreement may be terminated by either party for convenience by notifying the other party in writing at six (6) months prior to the date of termination. In the event of such termination, the Parties agree to work together to ensure continuation of dispatch and PSAP services.

7. Should Sanford realize future savings due to technological advances or operational economies of scale, those savings will be shared by all member entities served by the SRCC after parity of cost has been achieved. The Parties agree to establish an advisory board known as the "Sanford Regional Communications Advisory Board". The Town shall appoint a representative who shall serve as a member of the Sanford Regional Communications Advisory Board on an annual basis. This

board will meet at least annually or more often if deemed necessary by the board to discuss issues and refine operational procedures.

8. The Parties shall comply with all applicable state and federal laws, rules and regulations in performance under this Agreement.

9. Sanford shall maintain all books, documents, records and other materials, in whatever form, pertaining to this Agreement and retain such books, documents, records and other materials during the term of this Agreement and for such period of time as required by State and Federal Law. Sanford shall make the books, documents, records and other materials available for inspecting and copying in accordance with the provisions of the Maine Freedom of Access Act.

10. This Agreement shall be governed by the laws of the State of Maine.

11. Sanford's Communication Director shall have responsibility for coordinating the performance of dispatch and PSAP Services with the Town, including, but not limited to:

A. Preparing written planning documents that set forth dispatch and PSAP services tasks in detail.

B. Being available to the Town Representative during normal business hours for consultation and decision making.

C. Scheduling, preparing an agenda and otherwise overseeing meetings of the Sanford Regional Communications Advisory Board.

D. Supervising department personnel involved in providing dispatch and PSAP Services.

E. Ensuring that dispatch and PSAP Services are performed in accordance with this agreement and in accordance with standards established by the City of Sanford after review and consultation with the Sanford Regional Communications Advisory Board.

F. Sanford will provide quarterly statistical reports of call activity if requested by the Town.

12. The Parties acknowledge that during performance of this Agreement they each may be exposed to or acquire confidential information. Subject to the requirements of Federal and State law, the Parties agree to hold such information in strict confidence and not to copy, reproduce, sell, assign, license, market, transfer, give or otherwise disclose such information to third parties or to use such information for any purpose other than for the provision of dispatch and PSAP Services. The Parties shall advise each of their employees, agents and representatives of their obligations to keep such information confidential. The Parties shall use reasonable efforts to assist each other in identifying and preventing any unauthorized use or disclosure of such information. Without limitation of the foregoing, the Parties shall make reasonable efforts to advise each other immediately in the event that either learns or has reason to believe that any person who has had access to such information has violated or intends to violate either the terms

of this Agreement, or applicable law and will reasonably cooperate in seeking injunctive relief against any such person. Nothing in this shall prohibit disclosure of public records or other information by either party when such disclosure is permitted by Maine's Freedom of Access law, 1 M.R.S.A. Section 401 *et seq.*, or by court order. Responses to requests for public records related to this contract shall be made jointly and cooperatively by the Parties. The terms of this Section shall survive the expiration or termination of this Agreement.

13. In the event of any dispute arising during the term of this Agreement concerning performance of the work under the Agreement, either party shall serve notice of such dispute on the other party and on the City Manager and the Town Manager. The advisory board shall provide an opinion for resolution on the disagreement to both the Town and to the City. In the event that either party is dissatisfied with the recommendation, the City Manager and the Town Manager shall meet to develop a resolution to the dispute.

14. The Parties shall not be deemed to have waived any provision of this Agreement unless expressed in writing and signed by the waiving party. The Parties agree that they shall not assert in any action relating to the Agreement that any waiver occurred between the Parties that is not expressed in writing. The failure of any party to insist in any one or more instances upon strict performance of any of the terms and provisions of the Agreement, or to exercise an option or election under the Agreement, shall not be construed as a waiver or relinquishment for the future of such terms, provisions, option or election, but the same shall continue in full force and effect, and no waiver by any party of any one or more of its rights or remedies under the Agreement shall be deemed to be a waiver of any prior or subsequent rights or remedy under the Agreement.

15. Sanford shall have the right to terminate this Agreement in the event of a material breach or default by the Town of its obligations hereunder that is not cured within thirty (30) days from the date of receipt by the Town of written notice of such breach from Sanford. If the breach or default, by its nature, cannot be cured within such thirty (30) day period, then the Town shall have such additional time [not to exceed thirty (30) additional days] as may be necessary to cure the breach or default, provided the Town has exercised reasonable efforts and taken appropriate action to begin cure of the breach or default within the initial thirty (30) day cure period.

16. The Town shall have the right to terminate this Agreement in the event of a material breach or default by Sanford of its obligations hereunder that is not cured within thirty (30) days from the date of receipt by Sanford of written notice of such breach from the Town. If the breach or default, by its nature, cannot be cured within such thirty (30) day period, then Sanford shall have such additional time [not to exceed thirty (30) additional days] as may be necessary to cure the breach or default, provided Sanford has exercised reasonable efforts and taken appropriate actions to begin cure of the breach or default within the initial thirty (30) day cure period.

17. Sanford shall be excused from its performance obligations under this Agreement if Sanford's provision of dispatch or PSAP services are prevented by act of God, act of war, riot, fire, explosion, flood or other catastrophe, or any other event beyond the control of, and that could not reasonably be foreseen or avoided by, Sanford.

18. The invalidity or unenforceability of any particular provision or part thereof of this Agreement shall not affect the remainder of said provision or any other provisions, and this Agreement shall be construed in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

19. This Agreement contains the entire agreement of the Parties with respect to the Matters addressed therein. This Agreement may not be amended except upon the express written agreement of Sanford and the Town.

20. In the event of any litigation between the Parties with regard to the Agreement, each party shall be responsible for its own expenses, costs and attorney fees.

WHEREFORE the Parties have caused this Agreement to be executed by their duly authorized representatives on the date set forth below.

Dated: _____

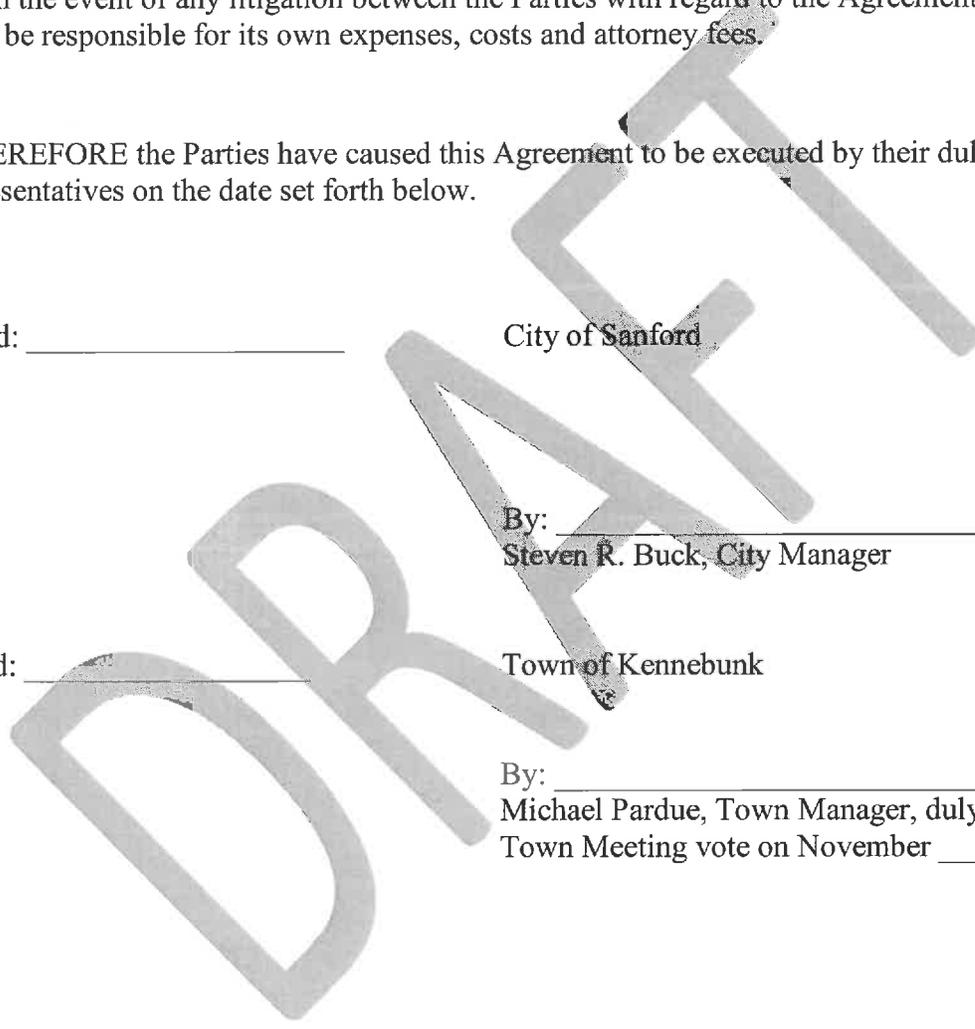
City of Sanford

By: _____
Steven R. Buck, City Manager

Dated: _____

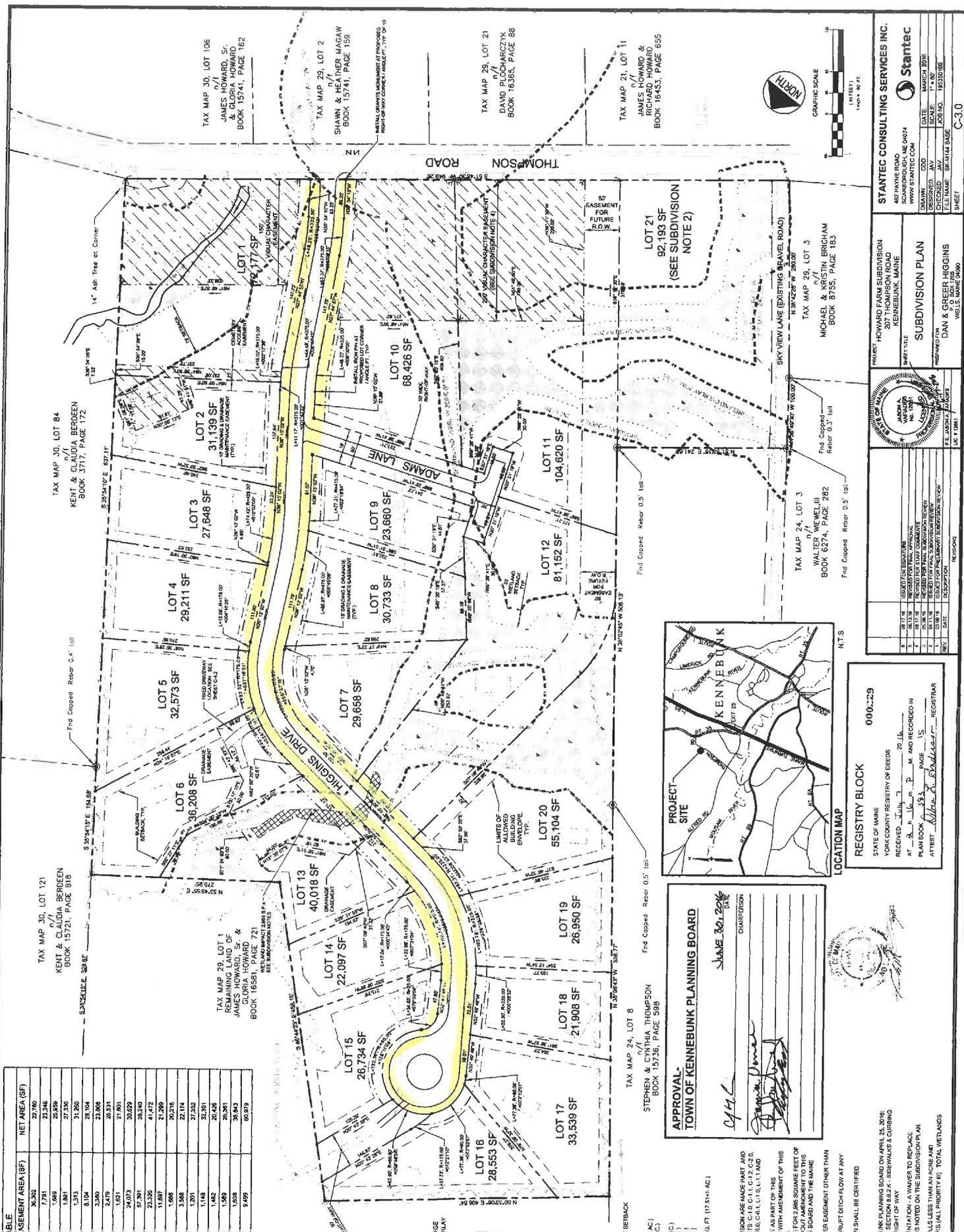
Town of Kennebunk

By: _____
Michael Pardue, Town Manager, duly authorized by
Town Meeting vote on November __, 2019



ROAD ACCEPTANCE - Higgins Drive

Question
C 12



ASEMENT AREA (SF)	NET AREA (SF)
36,302	27,760
1,731	23,346
1,669	25,659
1,881	27,130
3,113	31,250
8,104	28,104
3,360	33,000
2,479	25,531
1,631	21,861
24,073	30,629
87,301	28,243
33,326	41,472
11,697	31,298
1,605	20,215
3,368	32,114
1,201	27,352
1,148	32,361
1,482	20,428
1,569	26,261
1,838	36,343
9,493	80,979

STANTEC CONSULTING SERVICES INC.
480 PLYMOUTH ROAD
SCARBOROUGH, ME 04074
WWW.STANTEC.COM
DRAWN: [Name]
CHECKED: [Name]
DATE: [Date]
SCALE: 1" = 40'
LSD NO.: 162550109
SHEET: C-30

SUBDIVISION PLAN
PROJECT: HOWARD FARM SUBDIVISION
SHEET TITLE: [Name]
DRAWN: [Name]
CHECKED: [Name]
DATE: [Date]
SCALE: 1" = 40'
LSD NO.: 162550109
SHEET: C-30

REGISTRY BLOCK 000-229
YORK COUNTY REGISTRY OF DEEDS
RECORDED JULY 1, 2016, AND RECORDED IN
PLAN BOOK 333, PAGE 15
ATTEST: [Signature] REGISTRAR

APPROVAL - TOWN OF KENNEBUNK PLANNING BOARD
DATE: JUNE 30, 2016
CHAIRPERSON: [Signature]

LOCATION MAP
PROJECT SITE
KENNEBUNK

REVISIONS

NO.	DATE	DESCRIPTION
1	08.12.16	ISSUED FOR BIDDING
2	09.15.16	REVISION FOR FINAL APPROVAL
3	02.28.17	REVISION FOR FINAL SUBDIVISION REVIEW
4	03.28.17	ISSUED FOR FINAL SUBDIVISION REVIEW
5	03.28.17	ISSUED FOR FINAL SUBDIVISION REVIEW

DATE: [Date]
SCALE: 1" = 40'
LSD NO.: 162550109
SHEET: C-30

Style No. 1

State of Maine Sample Ballot Referendum Election, November 5, 2019

Instructions to Voters

To vote for a question, fill in the oval to the right of the "Yes" or "No" choice, like this: ●

To have your vote count, do not erase or cross out your choice.

If you make a mistake, ask for a new ballot.

Question 1: Bond Issue

Do you favor a \$105,000,000 bond issue to build or improve roads, bridges, railroads, airports, transit and ports and make other transportation investments, to be used to match an estimated \$137,000,000 in federal and other funds?

Total estimated life time cost is \$133,875,000 representing \$105,000,000 in principal and \$28,875,000 in interest (assuming interest at 5.0% over 10 years).

A "Yes" vote approves the issuance of up to one hundred and five million dollars (\$105,000,000) in general obligation bonds to finance transportation-related activities.

A "No" vote opposes the bond issue in its entirety.

Yes
No

Question 2: Constitutional Amendment

Do you favor amending the Constitution of Maine to allow persons with disabilities to sign petitions in an alternative manner as authorized by the Legislature?

A "Yes" vote approves adoption of the constitutional amendment.

A "No" vote opposes adoption of the constitutional amendment.

Yes
No

You Have Completed Voting

**Maine Citizen's Guide to the
Referendum Election**

Tuesday, November 5, 2019



**In Accordance with
the Acts Passed by the 129th Legislature
at the First Regular Session and the First Special Session**

**Matthew Dunlap
Secretary of State**

Appropriation 010-29A-4213-012

16

**State of Maine
Office of the Secretary of State
Augusta, Maine 04333**

Dear Fellow Citizen,

The information in this booklet is intended to help voters learn about the questions that will appear on the November 5, 2019 Referendum Election ballot. Referendum elections are an important part of the heritage of public participation in Maine.

Inside this booklet, you will find:

- ◆ the referendum questions;
- ◆ the legislation each question represents;
- ◆ a summary of the intent and content of the legislation;
- ◆ an explanation of the significance of a "yes" or "no" vote;
- ◆ an analysis of the debt service on the bond issues; and
- ◆ an estimate of the fiscal impact of each referendum question on state revenues, appropriations and allocations.

For information about how and where to vote, please contact your local Municipal Clerk or call Maine's Division of Elections at 624-7650. Information is also available online at www.maine.gov/sos.

The Department of the Secretary of State, the Attorney General, the State Treasurer and the Office of Fiscal and Program Review have worked together to prepare this booklet of information and we hope you find it helpful.

Sincerely,



Matthew Dunlap
Secretary of State

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**State of Maine
Referendum Election, November 5, 2019
Listing of Referendum Questions**

Question 1: Bond Issue

Do you favor a \$105,000,000 bond issue to build or improve roads, bridges, railroads, airports, transit and ports and make other transportation investments, to be used to match an estimated \$137,000,000 in federal and other funds?

Question 2: Constitutional Amendment

Do you favor amending the Constitution of Maine to allow persons with disabilities to sign petitions in an alternative manner as authorized by the Legislature?

Treasurer's Statement

The State of Maine borrows money by issuing bonds. General Obligation bonds are backed by the full faith and credit of the State and must be submitted statewide to the voters for approval.

Once approved, the Treasurer issues bonds as needed to fund the approved bond projects and uses a rapid 10-year repayment of principal strategy to retire the debt.

If the bond proposals on the ballot in November 2019 are approved by the voters, general obligation debt service as a percentage of the State's General Fund, Highway Fund and Revenue Sharing appropriations is expected to be 2.70% in FY20 and 3.07% in FY21.

The following is a summary of general obligation bond debt of the State of Maine as of **September 30, 2019**.

Bonds Outstanding (Issued and Maturing through 2029):

	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
Highway Fund	\$ 9,820,000	\$ 500,168	\$ 10,320,168
General Fund	533,580,000	109,533,743	643,113,743
Total	\$ 543,400,000	\$ 110,033,911	\$ 653,433,911

Unissued Bonds Authorized by Voters: \$ 103,638,697

Unissued Bonds Authorized by the Constitution: \$ 99,000,000

Total Authorized but Unissued Bonds: \$ 202,638,697

The total amount that must be paid in the present fiscal year for bonded debt already outstanding (for FY2020): \$ 109,936,486

If the bonds submitted here are approved by voters and issued for the full statutory period authorized, an estimate of the total interest and principal that may reasonably be expected to be paid is **\$133,875,000.00**, representing **\$105,000,000.00** in principal and **\$28,875.00** in interest.

Henry E.M. Beck

Henry E.M. Beck, Esq.
Treasurer of State

Question 1: Bond Issue

Do you favor a \$105,000,000 bond issue to build or improve roads, bridges, railroads, airports, transit and ports and make other transportation investments, to be used to match an estimated \$137,000,000 in federal and other funds?

**STATE OF MAINE
Chapter 532
Public Laws of 2019
Approved August 30, 2019**

An Act To Authorize a General Fund Bond Issue To Improve Highways, Bridges and Multimodal 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 as described in this Act,

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

Sec. 1. Authorization of bonds. 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 \$105,000,000 for the purposes described in section 5 of this Act. 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.

Sec. 2. Records of bonds issued; Treasurer of State. The Treasurer of State shall ensure that an account of each bond is kept 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 this Act lapse to the Office of the Treasurer of State to be used for the retirement of general obligation 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 from General Fund bond issue. The proceeds of the sale of the bonds authorized under this Act must be expended as designated in the following schedule under the direction and supervision of the agencies and entities set forth in this section.

TRANSPORTATION, DEPARTMENT OF

Provides funds to construct, reconstruct, rehabilitate and preserve Priority 1, Priority 2 and Priority 3 state highways under the Maine Revised Statutes, Title 23, section 73, subsection 7 and associated improvements, to replace and rehabilitate bridges and to fund the municipal partnership initiative.

Total \$85,000,000

Provides funds for facilities or equipment related to freight and passenger railroads, transit, ports, marine transportation, aviation and bicycle and pedestrian improvements that preserve public safety or otherwise have demonstrated high transportation value including property acquisition.

Total \$15,000,000

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Provides funds for a competitive grant program that matches local funding for the upgrade of municipal culverts at stream crossings in order to improve fish and wildlife habitats and increase community safety. Eligible project sponsors include local governments, municipal conservation commissions, soil and water conservation districts and private nonprofit organizations. A proposal for funding from an eligible project sponsor must include a map and summary of the proposed project, describing how it meets the following criteria:

1. Contribution to competitive grant program goals. The extent to which the proposed project allows communities to more effectively prepare for storm and flood events and advances the goals of restoring habitat for fish, including sea-run fish and native brook trout; and
2. Cost-effectiveness. The extent to which the proposed project represents an efficient and cost-effective investment, including the proportion of total project funding that will be provided from other sources and the potential avoided costs associated with the proposed project. Funds may not be used to cover all of the costs associated with a proposed project.

Total \$4,000,000

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Provides funds for the renovation of a wharf and bulkhead at the Gulf of Maine Research Institute in Portland to bring the wharf back into operation as secured access and berthing for commercial fishing vessels and to support vessels for marine research at sea that supports continued long-term marine job development.

Total \$1,000,000

Sec. 6. Contingent upon ratification of bond issue. Sections 1 to 5 do not become effective unless the people of the State ratify the issuance of the bonds as set forth in this Act.

Sec. 7. 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 the Office of the Treasurer of State to be used for the retirement of general obligation bonds.

Sec. 8. Bonds authorized but not issued. Any bonds authorized but 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 for an additional amount of time not to exceed 5 years.

Sec. 9. Referendum for ratification; submission at election; form of question; effective date. This Act must be submitted to the legal voters of the State at a statewide election held 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 statewide election, to vote on the acceptance or rejection of this Act by voting on the following question:

"Do you favor a \$105,000,000 bond issue to build or improve roads, bridges, railroads, airports, transit and ports and make other transportation investments, to be used to match an estimated \$137,000,000 in federal and other 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. 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 purposes of this referendum.

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Intent and Content
Prepared by the Office of the Attorney General

This Act would authorize the State to issue general obligation bonds in an amount not to exceed one hundred and five million dollars (\$105,000,000), to raise funds for transportation projects as described below. The bonds would run for a period not longer than 10 years from the date of issue and would be backed by the full faith and credit of the State.

One hundred million dollars (\$100,000,000) in proceeds from the sale of these bonds would be administered by the **Department of Transportation** for the following purposes:

Highways, secondary roads and bridges – eighty-five million dollars (\$85,000,000) would be expended to:

- construct, reconstruct or rehabilitate state highways that have been designated as Priority 1, 2 or 3 by the Department of Transportation in accordance with state statute (23 M.R.S. § 73(7));
- replace and rehabilitate bridges; and
- repair secondary roads in partnership with municipalities pursuant to the existing Municipal Partnership Initiative program.

Municipalities are required to contribute 50% or more of the project costs under the Municipal Partnership Initiative program, which is described on the Department's web site at <http://maine.gov/mdot/planning/>. Highway and bridge projects are matched with federal funds on a ratio of 1.1 to 1 (federal to state) dollars.

Multi-modal projects – Fifteen million dollars (\$15,000,000) would be expended on facilities and equipment, including property acquisition, related to freight and passenger railroads, transit (public transportation), ports, marine transportation, aviation, and bicycle and pedestrian improvements. The intent is to fund projects that preserve public safety or otherwise demonstrate high transportation value.

The bond proceeds for the above categories of projects are expected to be matched by one hundred and thirty-seven million dollars (\$137,000,000) in federal and local matching funds.

Four million dollars (\$4,000,000) in proceeds from the sale of these bonds would be administered by the **Department of Environmental Protection** to fund a competitive grant program to upgrade or replace municipal culverts at stream crossings in order to improve fish and wildlife habitats, reduce flood hazards and improve storm water management. Local governments, municipal conservation commissions, soil and water conservation districts and private nonprofit organizations would be eligible to apply for these grants and would be required to provide some matching funds. Project proposals will be evaluated based on criteria including the extent to which the project will allow communities to more effectively prepare for storm and flood events; how well the project will advance the goals of restoring fish habitat; and how cost-effective the investment will be based on the proportion of total funding that will come from other sources and what other potential costs will be avoided.

One million dollars (\$1,000,000) in proceeds from the sale of these bonds would be administered by the **Department of Economic and Community Development** to fund the renovation of a wharf and bulkhead at the Gulf of Maine Research Institute in Portland so that those facilities can be used as a berth for commercial fishing vessels as well as vessels used for marine research that will support long-term development of marine-related jobs.

If approved, the authorization of these bonds would take effect 30 days after the Governor's proclamation of the vote.

A "Yes" vote approves the issuance of up to one hundred and five million dollars (\$105,000,000) in general obligation bonds to finance transportation-related activities.

A "No" vote opposes the bond issue in its entirety.

Debt Service
Prepared by the Office of the Treasurer

Total estimated life time cost is **\$133,875,000**, representing **\$105,000,000** in principal and **\$28,875,000** in interest (assuming interest at 5% over 10 years).

Fiscal Impact Statement
Prepared by the Office of Fiscal and Program Review

This bond issue has no significant fiscal impact other than the debt service costs identified above.

Public Comments

No public comments were filed in support of or in opposition to Question 1.

Question 2: **Constitutional Amendment**

Do you favor amending the Constitution of Maine to allow persons with disabilities to sign petitions in an alternative manner as authorized by the Legislature?

STATE OF MAINE

“RESOLUTION, Proposing an Amendment to the Constitution of Maine Concerning Alternative Signatures Made by Persons with Disabilities”

Constitutional amendment. Resolved: Two thirds of each branch of the Legislature concurring, that the following amendment to the Constitution of Maine be proposed:

Constitution, Art. IV, Pt. Third, §20 is amended to read:

Section 20. Meaning of words "electors," "people," "recess of Legislature," "statewide election," "measure," "circulator," and "written petition"; written petitions for people's veto; written petitions for direct initiative. As used in any of the 3 preceding sections or in this section the words "electors" and "people" mean the electors of the State qualified to vote for Governor; "recess of the Legislature" means the adjournment without day of a session of the Legislature; "statewide election" means any election held throughout the State on a particular day; "measure" means an Act, bill, resolve or resolution proposed by the people, or 2 or more such, or part or parts of such, as the case may be; "circulator" means a person who solicits signatures for written petitions, and who must be a resident of this State and whose name must appear on the voting list of the city, town or plantation of the circulator's residence as qualified to vote for Governor; "written petition" means one or more petitions written or printed, or partly written and partly printed, with the original signatures of the petitioners, or, as authorized by law, the alternative signatures of persons with physical disabilities that prevent them from signing their own names, attached, verified as to the authenticity of the signatures by the oath of the circulator that all of the signatures to the petition were made in the presence of the circulator and that to the best of the circulator's knowledge and belief each signature is the signature of the person whose name it purports to be, and accompanied by the certificate of the official authorized by law to maintain the voting list or to certify signatures on petitions for voters on the voting list of the city, town or plantation in which the petitioners reside that their names appear on the voting list of the city, town or plantation of the official as qualified to vote for Governor. The oath of the circulator must be sworn to in the presence of a person authorized by law to administer oaths. Written petitions for a people's veto pursuant to Article IV, Part Third, Section 17 must be submitted to the appropriate officials of cities, towns or plantations, or state election officials as authorized by law, for determination of whether the petitioners are qualified voters by the hour of 5:00 p.m., on the 5th day before the petition must be filed in the office of the Secretary of State, or, if such 5th day is a Saturday, a Sunday or a legal holiday, by 5:00 p.m., on the next day which is not a Saturday, a Sunday or a legal holiday. Written petitions for a direct initiative pursuant to Article IV, Part Third, Section 18 must be submitted to the appropriate officials of cities, towns or plantations, or state election officials as authorized by law, for determination of whether the petitioners are qualified voters by the hour of 5:00 p.m., on the 10th day before the petition must be filed in the office of the Secretary of State, or, if such 10th day is a Saturday, a Sunday or a legal holiday, by 5:00 p.m., on the next day which is not a Saturday, a Sunday or a legal holiday. Such officials must complete the certification of only those petitions submitted by these deadlines and must return them to the circulators or their agents within 2 days for a petition for a people's veto and within 5 days for a petition for a direct initiative, Saturdays, Sundays and legal holidays excepted, of the date on which such petitions were submitted to them. Signatures on petitions not submitted to the appropriate local or state officials by these deadlines may not be certified. The petition shall set forth the full text of the measure requested or proposed. Petition forms shall be furnished or approved by the Secretary of

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State upon written application signed and notarized and submitted to the office of the Secretary of State by a resident of this State whose name must appear on the voting list of the city, town or plantation of that resident as qualified to vote for Governor. The full text of a measure submitted to a vote of the people under the provisions of the Constitution need not be printed on the official ballots, but, until otherwise provided by the Legislature, the Secretary of State shall prepare the ballots in such form as to present the question or questions concisely and intelligibly.

Constitutional referendum procedure; form of question; effective date. Resolved: That 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, at a statewide election held in the month of November following the passage of this resolution, to vote upon the ratification of the amendment proposed in this resolution by voting upon the following question:

“Do you favor amending the Constitution of Maine to allow persons with disabilities to sign petitions in an alternative manner as authorized by the Legislature?”

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 the 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. If it appears that a majority of the legal votes are cast in favor of the amendment, the Governor shall proclaim that fact without delay and the amendment becomes part of the Constitution of Maine on the date of the proclamation.

Secretary of State shall prepare ballots. Resolved: That the Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this resolution necessary to carry out the purposes of this referendum.

Intent and Content
Prepared by the Office of the Attorney General

This proposal would amend Maine’s Constitution to allow voters who have physical disabilities that prevent them from signing their own names to use an alternative method of signing a citizens’ initiative or people’s veto petition. The alternative method would be defined by statute.

The Maine Constitution (in Article IV, part 3, section 20) currently provides that a “written petition” for a citizens’ initiative or a people’s veto referendum must contain “original signatures of the petitioners.” This definition prevents voters who are physically unable to write an original signature from signing these types of petitions.

Maine election law (Title 21-A, section 153-A of the Maine Revised Statutes) already allows a voter who is unable to sign his or her own name to sign a voter registration application, a change of party enrollment form, candidate nomination petitions, and Maine Clean Election Act forms by using a signature stamp or by authorizing another Maine-registered voter to sign on the voter’s behalf – in the voter’s presence and at the direction of the voter. Adoption of the proposed constitutional amendment would authorize the Legislature to expand the scope of this election statute or to adopt a different alternative method that would allow voters with certain physical disabilities to sign citizens’ initiative petitions and people’s veto petitions.

A “Yes” vote approves adoption of the constitutional amendment.

A “No” vote opposes adoption of the constitutional amendment.

Fiscal Impact Statement
Prepared by the Office of Fiscal and Program Review

If approved by the voters, this amendment to the Constitution of Maine will allow persons with physical disabilities that prevent them from signing their own names to use alternative signatures when signing petitions. This accommodation is not expected to create additional costs for the State or for local units of government.

Public Comments

No public comments were filed in support of or in opposition to Question 2.