

# MAINE STATE LEGISLATURE

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(New Title)  
New Draft: H. P. 457, L. D. 606

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# ONE HUNDRED AND SIXTH LEGISLATURE

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**Legislative Document**

**No. 2022**

H. P. 1596

House of Representatives, June 11, 1973

Reported by Mr. Cooney from Committee on State Government and printed under Joint Rules No. 18.

E. LOUISE LINCOLN, Clerk

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

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### AN ACT Authorizing the State Housing Authority to Establish Capital Reserve Funds.

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

Sec. 1. R. S., T. 30, § 4761, sub-§ 2, repealed and replaced. Subsection 2 of section 4761 of Title 30 of the Revised Statutes, as enacted by section 18 of chapter 470 of the public laws of 1969, is repealed and the following enacted in place thereof:

2. Capital Reserve Funds. The state authority may establish and maintain one or more special funds called "Capital Reserve Funds" which shall consist of:

- A. All moneys appropriated by the State for inclusion therein;
- B. All proceeds of the sale of bonds, required to be deposited therein by the terms of the resolution authorizing the sale of said bonds;
- C. All other moneys available to the state authority which it determines to utilize for this purpose.

All moneys held in any Capital Reserve Fund shall be used only to retire those bonds of the state authority issued to purchase mortgage loans or notes under the resolution establishing such Capital Reserve Fund, or to maintain such Capital Reserve Fund at an amount equal to the minimum reserve established by the state authority. Any proceeds beyond the amount necessary to this function may be used for those purposes specified in the resolu-

tion creating such Capital Reserve Fund, or to pay any and all expenses of the state authority up to  $\frac{1}{2}$  of 1% of the bond value outstanding each year under the resolution creating such Capital Reserve Fund. The minimum amount of any Capital Reserve Fund shall be the minimum amount of money sufficient to meet the maximum payment required in the succeeding calendar year for payment of principal and interest falling due on all bonds outstanding under the resolution creating such Capital Reserve Fund and retiring all other such bonds required by the terms of such resolution to be retired, such amounts being hereafter referred to as the required "minimum reserve".

Sec. 2. R. S., T. 30, § 4761, sub-§ 3, additional. Section 4761 of Title 30 of the Revised Statutes, as enacted by section 18 of chapter 470 of the public laws of 1969, is amended by adding a new subsection 3 to read as follows:

3. Required minimum reserve. Notwithstanding any other provision contained in this subchapter, no bonds shall be issued by the state authority unless there is in the Housing or Capital Reserve Fund which will secure such bonds the required minimum reserve for all such bonds issued and to be issued which will be secured by such Housing or Capital Reserve Funds, provided that nothing shall preclude the state authority from satisfying the foregoing requirement by depositing so much of the proceeds of the bonds being issued, upon their issuance as is needed for the fund to achieve the required minimum reserve.

Sec. 3 R. S., T. 30, § 4761, amended. The last 2 paragraphs of section 4761 of Title 30 of the Revised Statutes, as enacted by section 18 of chapter 470 of the public laws of 1969 are amended to read as follows:

In order to assure the maintenance of the required minimum reserve in the Housing Reserve Fund and in any Capital Reserve Fund, there shall be annually appropriated and paid to the state authority for ~~deposit~~ deposits in said ~~fund~~ funds, such sum, if any, as shall be certified by the director of the state authority to the Governor as necessary to restore ~~said~~ any such fund to an amount equal to the required minimum reserve. The director shall annually, on or before December 1st, make and deliver to the Governor his certificate stating the sum, if any, required to restore ~~said~~ any such fund to the amount aforesaid, and the sum or sums so certified shall be appropriated and paid to the state authority during the then current state fiscal year.

For purposes of valuation of ~~said~~ any such fund, securities acquired as an investment for ~~said~~ any such fund shall be valued at par, actual cost to the state authority or market value, whichever value is less.

## STATEMENT OF FACT

This bill provides for the creation of more than one capital reserve fund for bondholders of Maine State Housing Authority bonds. This gives the Authority more flexibility to issue different series of bonds to pursue its purposes.