

MAINE STATE LEGISLATURE

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1 (Governor's Bill)
2 FIRST SPECIAL SESSION

3
4 ONE HUNDRED AND ELEVENTH LEGISLATURE

5 Legislative Document

No. 1793

7 H.P. 1360

House of Representatives, September 6, 1983

8 Received by the Clerk of the House on August 26, 1983. Referred to the
9 Committee on Appropriations and Financial Affairs, and 1,600 ordered
printed pursuant to Joint Rule 14.

10 EDWIN H. PERT, Clerk

Presented by Representative Jacques of Waterville.

11 Cosponsors: Representative Andrews of Portland, Senator Violette of
Aroostook and Representative Callahan of Mechanic Falls.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Authorize a General Fund Bond
18 Issue in the Amount of \$8,820,000 for the
19 Construction and Improvement of Municipal
20 Facilities.
21

22 Preamble. Two-thirds of both Houses of the
23 Legislature deeming it necessary in accordance with
24 the Constitution of Maine, Article IX, Section 14, to
25 authorize the issuance of bonds on behalf of the
26 State for the construction and improvement of municipal
27 facilities.

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

30 Sec. 1. Issue of bonds to provide for capital
31 improvements, construction and planning grants. The
32 Treasurer of State may, under the direction of the
33 Governor, issue from time to time, serial coupon
34 bonds in the name and in behalf of the State to an
35 amount not exceeding \$8,820,000 for the purpose of

1 raising funds to provide for such capital improve-
2 ments, construction and planning funds as authorized
3 by section 6. These bonds shall be deemed a pledge
4 of the faith and credit of the State. The bonds
5 shall not run for a longer period than 20 years from
6 the date of the original issue thereof. Any issuance
7 of bonds may contain a call feature at the discretion
8 of the Treasurer of State with the approval of the
9 Governor.

10 **Sec. 2. Records of bonds issued to be kept by**
11 **State Auditor and Treasurer of State.** The State
12 Auditor shall keep an account of the bonds, showing
13 the number and amount of each, the date when payable
14 and the date of delivery thereof to the Treasurer of
15 State, who shall keep an account of each bond, show-
16 ing the number thereof, the name of the person to
17 whom sold, the amount received for the same, the date
18 of sale and the date when payable.

19 **Sec. 3. Sale, how negotiated, proceeds appropri-**
20 **ated.** The Treasurer of State may negotiate the sale
21 of these bonds by direction of the Governor, but no
22 such bond may be loaned, pledged or hypothecated in
23 behalf of the State. The proceeds of the sales of
24 these bonds, which shall be held by the Treasurer of
25 State and paid by him upon warrants drawn by the Gov-
26 ernor, are appropriated to be used solely for the
27 purposes set forth in this Act.

28 **Sec. 4. Interest and debt retirement.** Interest
29 due or accruing upon any bonds issued under this Act
30 and all sums coming due for payment of bonds at matu-
31 rity shall be paid by the Treasurer of State.

32 **Sec. 5. Disbursement of bond proceeds.** The pro-
33 ceeds of the bond shall be expended as follows:

34 A. Courthouse facilities, under the direction
35 and supervision of the State Director of Public
36 Improvements;

37 B. Environmental Protection, under the direction
38 and supervision of the Commissioner of Environ-
39 mental Protection; and

1 C. Community Development, under the direction
2 and supervision of the Director of State Plan-
3 ning.

4 Sec. 6. Allocations from General Fund bond
5 issue. The following sums are allocated from the
6 General Fund bond issue.

7 ENVIRONMENTAL PROTECTION, DEPARTMENT OF

8 Water pollution control \$5,000,000

9 EXECUTIVE DEPARTMENT

10 State Planning Office

11 Community Development
12 Block Grant Program \$3,100,000

13 FINANCE AND ADMINISTRATION, DEPARTMENT OF

14 County courthouse handicapped
15 accessibility \$ 720,000

16 Total \$8,820,000

17 Sec. 7. Contingent upon ratification of bond
18 issue. Sections 1 to 6 shall not become effective
19 unless and until the people of the State have rati-
20 fied the issuance of bonds as set forth in this Act.

21 Sec. 8. Statutory referendum procedure; submis-
22 sion at statewide election; effective date. This Act
23 shall be submitted to the legal voters of the State
24 at a statewide election to be held on Tuesday follow-
25 ing the first Monday in November following passage of
26 this Act. The city aldermen, town selectmen and
27 plantation assessors of this State shall notify the
28 inhabitants of their respective cities, towns and
29 plantations to meet in the manner prescribed by law
30 for holding a statewide election, to vote on the ac-
31 ceptance or rejection of this Act by voting on the
32 following question:

33 "Shall a bond issue be authorized in the amount
34 of \$8,820,000 to provide funds for municipal facility
35 improvements, including water pollution control

1 projects, establishment of a public facilities'
2 grants program to assist municipalities in meeting
3 their capital needs and efforts to provide more ready
4 physical access to county courthouses for the handi-
5 capped?"

6 The legal voters of each city, town and
7 plantation shall vote by ballot on this question and
8 shall designate their choice by a cross or check mark
9 placed within a corresponding square below the word
10 "Yes" or "No." The ballots shall be received,
11 sorted, counted and declared in open ward, town and
12 plantation meetings and returns made to the Secretary
13 of State in the same manner as votes for members of
14 the Legislature. The Governor shall review the
15 returns and, if it appears that a majority of the
16 legal voters are in favor of the Act, the Governor
17 shall proclaim that fact without delay, and the Act
18 shall become effective 30 days after the date of the
19 proclamation.

20 The Secretary of State shall prepare and furnish
21 to each city, town and plantation all ballots,
22 returns and copies of this Act necessary to carry out
23 the purpose of this referendum.

24 STATEMENT OF FACT

25 This bill provides for a bond issue for construc-
26 tion and improvement of municipal facilities.

27 The Department of Environmental Protection will
28 receive \$5.0 million to be used for water pollution
29 control.

30 The Executive Department will receive \$3.1 mil-
31 lion to be used for public facilities' grants to
32 municipalities.

33 This program of public facilities' grants will be
34 administered by the State Planning Office through its
35 Community Development Block Grant Program which has
36 been highly successful in assisting municipalities
37 with their facilities' needs. A 2-year program of
38 grants to local long-term capital plans will be
39 funded for \$500,000. The remaining \$2.6 million will

1 be used for municipal grants allocated in a manner
2 similar to the existing Community Development Block
3 Grant Program.

4 The sum of \$720,000 will be applied to remedying
5 architectural and other barriers to access by the
6 physically handicapped which currently exist in many
7 of Maine's court facilities. Many handicapped per-
8 sons are now effectively deprived of the use of our
9 courts because of the barriers to physical access
10 which include a lack of wheelchair ramps, proper ele-
11 vators and accessible rest room facilities.

12 This program implements in part the recommenda-
13 tions of the Blaine House Conference on State and
14 Local Relations.

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