

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. 1794

6
7 H.P. 1361

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 Carter of Winslow.

11 Cosponsors: Senator G. Diamond of Cumberland, Representative Foster
of Ellsworth and Senator Clark of Cumberland.

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 Bond Issue in the
18 Amount of \$21,794,000 for State Facilities
19 Construction, Renovations and Improvements.
20

21 Preamble. Two-thirds of both Houses of the
22 Legislature deeming it necessary in accordance with
23 the Constitution of Maine, Article IX, Section 14, to
24 authorize the issuance of bonds on behalf of the
25 State of Maine to provide the capital improvements,
26 construction, renovations, equipment and furnishings
27 for the various state departments.

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

30 Sec. 1. 27 MRSA §505, sub-§2, ¶D is enacted to
31 read:

32 D. The director may administer a program of
33 state financed grants for the stabilization and
34 restoration of unique historic structures con-
35 sistent with the following conditions.

1 (1) An applicant for a grant must be either
2 a governmental or a nonprofit organization.

3 (2) The historic structure which is the
4 subject of the grant application must be on
5 the National Register of Historic Places as
6 provided by the National Historic Preser-
7 vation Act of 1966 or have been nominated to
8 the register by the commission.

9 (3) An applicant must provide assurance
10 that public access to the structure will be
11 reasonably provided with respect to admis-
12 sion fees, visitation hours and physical ac-
13 cessibility, while maintaining the historici-
14 cal integrity of the structure.

15 (4) Applications must address, to the
16 satisfaction of the commission, the appli-
17 cant's organizational and financial capacity
18 to provide long-term maintenance of that
19 structure which is the subject of the appli-
20 cation.

21 (5) Grants shall not exceed 50% of the
22 total expense of the proposed project,
23 except that grants to this State may be 100%
24 of the total expense of the proposed
25 project.

26 (6) All grants shall be subject to final
27 approval, by the commission.

28 (7) Prior to final approval, the commission
29 may require the applicant to execute a cove-
30 nant to secure continued public access and
31 maintenance of the historic integrity of the
32 structure, and a right of first refusal for
33 the State.

34 With respect to the quality of work to be per-
35 formed through this grant program, the commission
36 and the director shall be guided by the United
37 States Secretary of the Interior's Standards for
38 Rehabilitation.

1 Sec. 2. Issue of bonds to provide for capital
2 improvements, construction, renovations, equipment
3 and furnishings for state departments. The Treasurer
4 of State may, under the direction of the Governor,
5 issue from time to time serial coupon bonds in the
6 name and behalf of the State to an amount not exceed-
7 ing \$21,794,000 for the purpose of raising funds to
8 provide for such capital improvements, construction,
9 renovations, equipment and furnishings as authorized
10 by sections 7 to 10. The bonds shall be deemed a
11 pledge of the faith and credit of the State. The
12 bonds shall not run for a longer period than 20 years
13 from the date of the original issue thereof. Any
14 issuance of bonds may contain a call feature at the
15 discretion of the Treasurer of State with the
16 approval of the Governor.

17 Sec. 3. Records of bonds issued to be kept by
18 the State Auditor and Treasurer of State. The State
19 Auditor shall keep an account of the bonds, showing
20 the number and amount of each, the date when payable
21 and the date of delivery thereof to the Treasurer of
22 State who shall keep an account of each bond showing
23 the number thereof, the name of the successful bidder
24 to whom sold, the amount received for the bond, the
25 date of sale and the date when payable.

26 Sec. 4. Sale, how negotiated; proceeds appropri-
27 ated. The Treasurer of State may negotiate the sale
28 of the bonds by direction of the Governor, but no
29 such bond may be loaned, pledged or hypothecated in
30 behalf of the State. The proceeds of the sale of the
31 bonds, which shall be held by the Treasurer of State
32 and paid by him upon warrants drawn by the Governor,
33 are appropriated to be used solely for the purposes
34 set forth in this Act. Any unencumbered balances
35 remaining at the completion of the projects in sec-
36 tions 7 to 10 shall lapse to the debt service account
37 established for the retirement of these bonds.

38 Sec. 5. Interest and debt retirement. Interest
39 due or accruing upon any bonds issued under this Act
40 and all sums coming due for payment of bonds at matu-
41 rity shall be paid by the Treasurer of State.

42 Sec. 6. Disbursement of bond proceeds. The pro-
43 ceeds of the bonds shall be expended under the direc-

1 tion and supervision of the State Director of Public
2 Improvements.

3 Sec. 7. Allocations from General Fund bond
4 issue; hazardous wastes. The funds allocated by this
5 section shall be expended for the following:

6 ENVIRONMENTAL PROTECTION,
7 DEPARTMENT OF

8 Hazardous Waste Cleanup
9 Fund \$2,000,000

10 Sec. 8. Allocation from General Fund bond issue;
11 correctional facilities. The funds allocated by this
12 section shall be expended for the following:

13 CORRECTIONS, DEPARTMENT OF

14 Correctional facilities \$9,000,000

15 Sec. 9. Allocation from General Fund bond issue;
16 historic preservation. The funds allocated by this
17 section shall be expended for the following:

18 EDUCATIONAL AND CULTURAL SERVICES,
19 DEPARTMENT OF

20 Restoration and preservation of
21 historic buildings,
22 various sites, statewide \$2,500,000

23 Sec. 10. Allocations from General Fund bond
24 issue; capital construction program. The funds allo-
25 cated by this section shall be expended for the fol-
26 lowing:

27 PUBLIC SAFETY, DEPARTMENT OF \$1,494,000

28 Crime lab and morgue construc-
29 tion, Augusta

30 JUDICIAL DEPARTMENT \$1,100,000

31 District Court combination,
32 Bath-Brunswick

1 District Court relocation,
2 Skowhegan

3 FINANCE AND ADMINISTRATION,
4 DEPARTMENT OF \$5,700,000

5 Renovations and improvements to
6 state parks; major projects at
7 various state correctional fac-
8 ilities; renovations and improve-
9 ments at vocational-technical
10 institutes statewide; various
11 projects at state armories; renova-
12 tions and improvements at state
13 mental health and mental retarda-
14 tion facilities; major projects at
15 other state facilities and loca-
16 tions statewide.

17 Total \$8,294,000

18 **Sec. 11. Transfer between items.** The amount
19 listed after each item is to be construed as a guide.
20 Within each section, sections 7 to 10, any one or
21 more amounts may be exceeded with the approval of the
22 Governor by transfer from one item to another not
23 exceeding 10% in the aggregate.

24 **Sec. 12. Contingent upon ratification of bond**
25 **issue.** Sections 2 to 10 shall not become effective
26 unless and until the people of the State have rati-
27 fied the issuance of bonds as set forth in this Act.

28 **Sec. 13. Availability of matching funds.** It is
29 the intent of the Legislature that any of the
30 improvements identified in this Act for which match-
31 ing funds are required as indicated in federal law or
32 state law or department programs shall have those
33 matching funds available before state money is
34 expended on the improvement. It is further the
35 intent of the Legislature that any matching funds so
36 received shall be expended in accordance with the
37 plans on which these improvements are based, notwith-
38 standing any legislative allocation limit.

39 **Sec. 14. Appropriation balances at year end.** At
40 the end of each fiscal year, all unencumbered appro-

1 priation balances representing state moneys shall
2 carry forward from year to year.

3 **Sec. 15. Statutory referendum procedure; submis-**
4 **sion at statewide election; form of question; effec-**
5 **tive date.** This Act shall be submitted to the legal
6 voters of the State at a statewide election to be
7 held on the Tuesday following the first Monday of
8 November following passage of this Act. The city
9 aldermen, town selectmen and plantation assessors of
10 this State shall notify the inhabitants of their
11 respective cities, towns and plantations to meet, in
12 the manner prescribed by law for holding a statewide
13 election, to vote on the acceptance or rejection of
14 this Act by voting on the following question:

15 "Shall a bond issue be authorized in the amount
16 of \$21,794,000 to provide funds for various state
17 facilities' projects, including: Necessary capital
18 improvements at corrections' facilities; stabiliza-
19 tion restoration of 50 of the state's most unique
20 historic structures which are in public or nonprofit
21 ownerships, such as forts, mansions, theaters, ships
22 and lighthouses; and a broad range of projects for
23 improving, constructing, renovating, equipping and
24 furnishing state departments' physical plant facili-
25 ties, ranging from new District Courts for the
26 Bath-Brunswick and Skowhegan areas to the repair of
27 roofs, masonry and boilers on a statewide priority
28 basis?"

29 The legal voters of each city, town and
30 plantation shall vote by ballot on this question, and
31 shall designate their choice by a cross or check mark
32 placed within a corresponding square below the word
33 "Yes" or "No." The ballots shall be received,
34 sorted, counted and declared in open ward, town and
35 plantation meetings and returns made to the Secretary
36 of State in the same manner as votes for members of
37 the Legislature. The Governor shall review the
38 returns and, if it appears that a majority of the
39 legal votes are in favor of the Act, the Governor
40 shall proclaim that fact without delay, and the Act
41 shall become effective 30 days after the date of the
42 proclamation.

43 The Secretary of State shall prepare and furnish

1 to each city, town and plantation all ballots,
2 returns and copies of this Act necessary to carry out
3 the purpose of this referendum.

4 STATEMENT OF FACT

5 This bill provides for a bond issue in the amount
6 of \$21,794,000 for construction, renovation and
7 improvement of state facilities.

8 The Department of Corrections will receive \$9.0
9 million for capital improvements at correctional
10 facilities.

11 The Department of Educational and Cultural Ser-
12 vices will also receive \$2.5 million to stabilize and
13 restore 50 of the most unique historic structures of
14 Maine, all of which are in public or nonprofit owner-
15 ship. These include forts, mansions, theaters,
16 ships, lighthouses and other interesting units which
17 contribute significantly to the tourist industry and
18 are a valuable educational and cultural resource for
19 all Maine people. All of these facilities will be
20 open to the public.

21 Several departments will receive portions of
22 \$8,294,000 for various essential repairs and
23 renovations.

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