

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 2201

6
7 S.P. 821

In Senate, March 8, 1984

8 Referred to the Committee on Appropriations and Financial Affairs is
9 suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

10 Presented by Senator Clark of Cumberland.

Cosponsors: Senator Najarian of Cumberland and Senator Trafton of
Androscoggin.

11
12 STATE OF MAINE
13

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

17 AN ACT to Authorize a General Fund Bond
18 Issue in the Amount of \$6,000,000 for
19 the Design, Construction and Furnishing
20 of Court Facilities.
21

22 **Preamble.** Two-thirds of both Houses of the Leg-
23 islature deeming it necessary in accordance with the
24 Constitution of Maine, Article IX, Section 14, to au-
25 thorize the issuance of bonds on behalf of the State
26 of Maine to provide funds for the design, construc-
27 tion and furnishing of court 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 the de-
31 sign, construction and furnishing of court facili-
32 ties. The Treasurer of State is authorized, under
33 the direction of the Governor, to issue from time to
34 time serial coupon bonds in the name and behalf of
35 the State to an amount not exceeding \$6,000,000, for

1 the purpose of raising funds to provide for the de-
2 sign, construction and furnishing of court facilities
3 as authorized by section 6. The bonds shall be
4 deemed a pledge of the faith and credit of the State.
5 The bonds shall not run for a longer period than 20
6 years from the date of the original issue thereof.
7 Any issuance of bonds may contain a call feature at
8 the discretion of the Treasurer of State with the ap-
9 proval of the Governor.

10 Sec. 2. Records of bonds issued to be kept by
11 the 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 showing
16 the number thereof, the name of the successful bidder
17 to whom sold, the amount received for the same, the
18 date 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 the bonds by direction of the Governor, but no
22 such bond shall be loaned, pledged or hypothecated in
23 behalf of the State. The proceeds of the sale of the
24 bonds, which shall be held by the Treasurer of State
25 and paid by him upon warrants drawn by the Governor,
26 are appropriated to be used solely for the purposes
27 set forth in this Act. Any unencumbered balances re-
28 maining at the completion of the projects in section
29 6 shall lapse to the debt service account established
30 for the retirement of these bonds.

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

35 Sec. 5. Disbursement of bonds proceeds. The
36 proceeds of the bonds shall be expended under the di-
37 rection and supervision of the State Director of Pub-
38 lic Improvements.

39 Sec. 6. Allocations from the General Fund bond
40 issue - court facilities. The proceeds of the sale
41 of bonds shall be expended as designated in the fol-
42 lowing schedule.

1 JUDICIAL DEPARTMENT

2	Portland Court	\$3,500,000
3	Bath/Brunswick Court	<u>2,500,000</u>
4	Total	\$6,000,000

5 Sec. 7. Transfer between items. The amounts
6 listed after the items in section 6 are to be con-
7 strued as a guide. Either amount may be exceeded
8 with the approval of the Governor by transfers from
9 the other item not exceeding 10% in the aggregate.

10 Sec. 8. Contingent upon ratification of bond is-
11 sue. Sections 1 to 7 shall not become effective un-
12 less and until the people of the State have ratified
13 the issuance of bonds as set forth in this Act.

14 Sec. 9. Appropriation balances at year end. At
15 the end of each fiscal year, all unencumbered appro-
16 priation balances representing state moneys shall
17 carry forward from year to year.

18 Sec. 10. Statutory referendum procedure; submis-
19 sion at statewide election; effective date. This Act
20 shall be submitted to the legal voters of the State
21 of Maine at the primary election to be held on the
22 2nd Tuesday of June following passage of this Act.
23 The city aldermen, town selectmen and plantation as-
24 sessors of this State shall notify the inhabitants of
25 their respective cities, towns and plantations to
26 meet, in the manner prescribed by law for holding a
27 statewide election, to vote on the acceptance or re-
28 jection of this Act by voting on the following ques-
29 tion:

30 "Do you favor a \$6,000,000 bond issue to build
31 courthouses?"

32 The legal voters of each city, town and
33 plantation shall vote by ballot on this question, and
34 shall designate their choice by a cross or check mark
35 placed within a corresponding square below the word
36 "Yes" or "No." The ballots shall be received,
37 sorted, counted and declared in open ward, town and
38 plantation meetings and returns made to the Secretary

1 of State in the same manner as votes for members of
2 the Legislature. The Governor shall review the re-
3 turns and, if it appears that a majority of the legal
4 votes are in favor of the Act, the Governor shall
5 proclaim that fact without delay, and the Act shall
6 become effective 30 days after the date of the proc-
7 lamation.

8 The Secretary of State shall prepare and furnish
9 to each city, town and plantation all ballots, re-
10 turns and copies of this Act necessary to carry out
11 the purpose of this referendum.

12 STATEMENT OF FACT

13 This bill provides for a bond issue in the amount
14 of \$6,000,000 for the design, construction and fur-
15 nishing of court facilities.

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