

MAINE STATE LEGISLATURE

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1 THIRD SPECIAL SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 2480

6
7 S.P. 922

Senate of Maine, August 27, 1984

8 Received by the Secretary of the Senate on August 27, 1984.

9 Referred to the Committee on Appropriations and Financial Affairs, and
1,400 ordered printed pursuant to Joint Rule 14.

10 JOY J. O'BRIEN, Secretary of the Senate
Presented by Senator Najarian of Cumberland.

Cosponsors: Representative Joyce of Portland, Senator Clark of
Cumberland and Senator Collins of Knox.

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 the
19 Design, Construction and Furnishing of Court
20 Facilities.
21

22 Preamble. Two-thirds of both Houses of the Legis-
23 lature 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 registered bonds in the name and behalf of the

1 State to an amount not exceeding \$6,000,000, for the
2 purpose of raising funds to provide for the design,
3 construction and furnishing of court facilities as
4 authorized by section 6. The bonds shall be deemed a
5 pledge of the faith and credit of the State. The
6 bonds shall not run for a longer period than 10 years
7 from the date of the original issue thereof. Any is-
8 suance of bonds may contain a call feature at the
9 discretion of the Treasurer of State with the approv-
10 al of the Governor.

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

20 Sec. 3. Sale, how negotiated; proceeds appropri-
21 ated. The Treasurer of State may negotiate the sale
22 of the bonds by direction of the Governor, but no
23 such bond shall be loaned, pledged or hypothecated in
24 behalf of the State. The proceeds of the sale of the
25 bonds, which shall be held by the Treasurer of State
26 and paid by him upon warrants drawn by the Governor,
27 are appropriated to be used solely for the purposes
28 set forth in this Act. Any unencumbered balances re-
29 maining at the completion of the projects in section
30 6 shall lapse to the debt service account established
31 for the retirement of these bonds.

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

36 Sec. 5. Disbursement of bonds proceeds. The pro-
37 ceeds of the bonds shall be expended under the direc-
38 tion and supervision of the Director of Public Im-
39 provements.

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

1 JUDICIAL DEPARTMENT

2	Portland Court	\$3,800,000
3	Bath-Brunswick Court	<u>2,200,000</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 with
8 the approval of the Governor by transfers from the
9 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. If the bond pro-
18 ceeds which have not been expended within 10 years
19 after the date of the sale of the bonds they shall
20 lapse to General Fund debt service.

21 Sec. 10. Statutory referendum procedure; submis-
22 sion at special statewide election; effective date.
23 This Act shall be submitted to the legal voters of
24 the State of Maine at the next general or special
25 statewide election following passage of this Act. The
26 city aldermen, town selectmen and plantation asses-
27 sors of this State shall notify the inhabitants of
28 their respective cities, towns and plantations to
29 meet in the manner prescribed by law for holding a
30 statewide election to vote on the acceptance or re-
31 jection of this Act by voting on the following ques-
32 tion:

33 "Shall a bond issue be authorized in the amount
34 of \$6,000,000 to build courthouses?"

35 The legal voters of each city, town and
36 plantation shall vote by ballot on this question and
37 shall designate their choice by a cross or check mark
38 placed within a corresponding square below the word

1 "Yes" or "No." The ballots shall be received, sorted,
2 counted and declared in open ward, town and
3 plantation meetings and returns made to the Secretary
4 of State in the same manner as votes for members of
5 the Legislature. The Governor shall review the re-
6 turns and, if it appears that a majority of the legal
7 voters are in favor of the Act, the Governor shall
8 proclaim that fact without delay, and the Act shall
9 become effective 30 days after the date of the pro-
10 clamation.

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

15 STATEMENT OF FACT

16 This bill provides for a bond issue in the amount
17 of \$6,000,000 for the design, construction and fur-
18 nishing of court facilities in Portland and
19 Bath-Brunswick areas.

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