

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 1374

7 S.P. 512

In Senate, April 24, 1985

8 Reference to the Committee on Transportation suggested and ordered
9 printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Danton of York.

11 Cosponsored by Representative Theriault of Fort Kent, Representative
Mills of Bethel and Representative Callahan of Mechanic Falls.

12 STATE OF MAINE
13

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

17 AN ACT to Authorize Department of
18 Transportation Bond Issues in the
19 Amount of \$20,000,000 to Match
20 Available Federal Funds for Highway,
21 Bridge and Airport Improvements.
22

23 Preamble. Two thirds of both Houses of the Leg-
24 islature deeming it necessary in accordance with the
25 Constitution of Maine, Article IX, Section 14, to au-
26 thorize the issuance of Highway Fund and General Fund
27 bonds on behalf of the State of Maine to provide
28 funds to match available federal funds for highway,
29 bridge and airport improvements.

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

32 Sec. 1. Authorization of bonds to provide for
33 highway, bridge and airport improvements. The Trea-
34 surer of State is authorized, under the direction of
35 the Governor, to issue from time to time registered
36 bonds in the name and behalf of the State to an

1 amount not exceeding \$20,000,000 for the purpose of
2 raising funds to match available federal funds for
3 highway, bridge and airport improvements as autho-
4 rized by section 6. The bonds shall be deemed a
5 pledge of the full faith and credit of the State.
6 The bonds shall not run for a longer period than 20
7 years from the date of the original issue of the
8 bonds. Any issuance of bonds may contain a call fea-
9 ture at the discretion of the Treasurer of State with
10 the approval 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 of the bonds to the Treasur-
16 er of State who shall keep an account of each bond
17 showing the number of the bond, the name of the suc-
18 cessful bidder to whom sold, the amount received for
19 the same, the date of sale and the date when payable.

20 Sec. 3. Sale; how negotiated; proceeds allocated
21 and appropriated. The Treasurer of State may negoti-
22 ate the sale of the bonds by direction of the Gover-
23 nor, but no such bond may be loaned, pledged or hy-
24 pothecated in behalf of the State. The proceeds of
25 the sale of the bonds, which shall be held by the
26 Treasurer of State and paid by him upon warrants
27 drawn by the State Controller, are allocated and ap-
28 propriated to be used solely for the purposes set
29 forth in this Act. Any unencumbered balances remain-
30 ing at the completion of the projects in section 6
31 shall lapse to the debt service account established
32 for the retirement of these bonds.

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

37 Sec. 5. Disbursement of proceeds of the bond.
38 The proceeds of the bonds set out in section 6 shall
39 be expended under the direction and supervision of
40 the Commissioner of Transportation.

41 Sec. 6. Allocations and appropriations from
42 Highway Fund and General Fund bond issues - highway,

1 bridge and airport improvements. The proceeds of the
2 sale of bonds shall be expended as designated in the
3 following schedule:

4	Highway Fund Bond Issue -	
5	Highway Improvements	\$10,000,000
6	Bridge Improvements	<u>9,000,000</u>
7	Total Highway Fund	\$19,000,000
8	General Fund Bond Issue -	
9	Airport Improvements	<u>\$ 1,000,000</u>
10	TOTAL HIGHWAY FUND AND	
11	GENERAL FUND	\$20,000,000

12 Sec. 7. Contingent upon ratification of bond is-
13 sue. Sections 1 to 6 shall not become effective un-
14 less and until the people of the State have ratified
15 the issuance of bonds as set forth in this Act.

16 Sec. 8. Allocation and appropriation balances at
17 year end. At the end of each fiscal year, all unen-
18 cumbered allocation and appropriation balances repre-
19 senting state money shall carry forward from year to
20 year. Bond proceeds which have not been expended
21 within 10 years after the date of the sale of the
22 bonds shall lapse to debt service of the appropriate
23 fund.

24 Sec. 9. Bonds authorized but not issued. Any
25 bonds authorized but not issued, or for which bond
26 anticipation notes have not been issued within 5
27 years of the ratification of this Act, shall be
28 deauthorized and may not be issued, provided that the
29 Legislature may, within 2 years after the expiration
30 of that 5-year period, extend the period for issuing
31 any remaining unissued bonds or bond anticipation
32 notes for an additional amount of time not to exceed
33 5 years.

34 Sec. 10. Statutory referendum procedure; submis-
35 sion at statewide election; form of question; effec-
36 tive date. This Act shall be submitted to the legal
37 voters of the State of Maine at a statewide election
38 to be held on the Tuesday following the first Monday
39 of November following passage of this Act. The city
40 aldermen, town selectmen and plantation assessors of

1 this State shall notify the inhabitants of their re-
2 spective cities, towns and plantations to meet, in
3 the manner prescribed by law for holding a statewide
4 election, to vote on the acceptance or rejection of
5 this Act by voting on the following question:

6 "Do you favor a \$20,000,000 bond issue for high-
7 way, bridge and airport improvements?"

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

22 The Secretary of State shall prepare and furnish
23 to each city, town and plantation all ballots, re-
24 turns and copies of this Act necessary to carry out
25 the purpose of this referendum.

26 STATEMENT OF FACT

27 The funds provided by this bond issue will be
28 used in conjunction with required local participation
29 to match \$55,000,000 in federal funds for highways
30 and bridges and \$13,000,000 in federal funds for air-
31 port improvements.

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