

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

(Governor's Bill)  
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1403

H.P. 1041 House of Representatives, May 1, 1987  
Reference to the Committee on Appropriations and  
Financial Affairs suggested and ordered printed.

EDWIN H. PERT, Clerk  
Presented by Representative HIGGINS of Scarborough.  
Cosponsored by Senator BERUBE of Androscoggin,  
Representatives MCGOWAN of Canaan and FOSTER of Ellsworth.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-SEVEN

1           **AN ACT to Authorize a General Fund Bond Issue**  
2           **in the Amount of \$6,000,000 for Detection**  
3           **and Removal of Asbestos Hazards in**  
4           **State Facilities and Public Schools.**  
5

6           **Preamble.** Two thirds of both Houses of the Leg-  
7           islature deeming it necessary in accordance with the  
8           Constitution of Maine, Article IX, Section 14, to au-  
9           thorize the issuance of bonds on behalf of the State  
10          of Maine to provide funds for detection and removal  
11          of asbestos hazards in state facilities and public  
12          schools.

13          Be it enacted by the People of the State of Maine as  
14          follows:

1           **Sec. 1. Authorization of bonds to provide for**  
2 **detection and removal of asbestos hazards in state**  
3 **facilities and public schools. The Treasurer of State**  
4 **is authorized, under the direction of the Governor,**  
5 **to issue from time to time registered bonds in the**  
6 **name and behalf of the State to an amount not exceed-**  
7 **ing \$6,000,000 for the purpose of raising funds to**  
8 **provide for detection and removal of asbestos hazards**  
9 **in state facilities and public schools as authorized**  
10 **by section 6. The bonds shall be deemed a pledge of**  
11 **the full faith and credit of the State. The bonds**  
12 **shall not run for a longer period than 5 years from**  
13 **the date of the original issue of the bonds. Any is-**  
14 **suance of bonds may contain a call feature at the**  
15 **discretion of the Treasurer of State with the approv-**  
16 **al of the Governor.**

17           **Sec. 2. 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 of the bonds to the Treasur-**  
22 **er of State who shall keep an account of each bond**  
23 **showing the number of the bond, the name of the suc-**  
24 **cessful bidder to whom sold, the amount received for**  
25 **the same, the date of sale and the date when payable.**

26           **Sec. 3. 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 State Con-**  
33 **troller, are appropriated to be used solely for the**  
34 **purposes set forth in this Act. Any unencumbered**  
35 **balances remaining at the completion of the project**  
36 **in section 6 shall lapse to the debt service account**  
37 **established for the retirement of these bonds.**

38           **Sec. 4. 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. 5. Disbursement of bond proceeds. The pro-**  
43 **ceeds of the bonds set out in section 6 shall be ex-**

1     pended under the direction and supervision of the Di-  
2     rector of Public Improvements.

3             **Sec. 6. Allocations from General Fund bond is-**  
4     **sue; detection and removal of asbestos hazards in**  
5     **state facilities and public schools. The proceeds of**  
6     **the sale of bonds shall be expended as designated in**  
7     **the following schedule.**

8             Detection and removal of                             \$6,000,000  
9             asbestos hazards - state  
10            facilities and public  
11            schools

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. Appropriation balances at year end. At**  
17     **the end of each fiscal year, all unencumbered appro-**  
18     **priation balances representing state money shall car-**  
19     **ry forward from year to year. Bond proceeds which**  
20     **have not been expended within 10 years after the date**  
21     **of the sale of the bonds shall lapse to General Fund**  
22     **debt service.**

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

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

1 the manner prescribed by law for holding a statewide  
2 election, to vote on the acceptance or rejection of  
3 this Act by voting on the following question:

4 "Do you favor a \$6,000,000 bond issue for detec-  
5 tion and removal of asbestos hazards in state fa-  
6 cilities and public schools?"

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

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

25 STATEMENT OF FACT

26 The funds provided by this bond issue, in the  
27 amount of \$6,000,000, will be used for detection and  
28 removal of asbestos hazards in state facilities and  
29 public schools.

30 2445041387