

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2578

S.P. 970

In Senate, March 23, 1988

Referred to the Committee on Appropriations and Financial Affairs and ordered printed. Sent down for concurrence.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator EMERSON of Penobscot.

Cosponsored by Representative MCPHERSON of Eliot,
Representative RIDLEY of Shapleigh, Senator DOW of Kennebec.

STATE OF MAINE

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

1 AN ACT to Authorize a General Fund Bond Issue in
2 the Amount of \$3,000,000 for
3 Construction and Renovation of Public Safety
4 Facilities.
5

6 Preamble. Two thirds of both Houses of the
7 Legislature deeming it necessary in accordance with
8 the Constitution of Maine, Article IX, Section 14, to
9 authorize the issuance of bonds on behalf of the State
10 of Maine to provide funds for construction and

1 renovation of public safety and correctional
2 facilities.

3 Be it enacted by the People of the State of Maine as
4 follows:

5 **Sec. 1. Authorization of bonds to provide for**
6 **construction and renovation of public safety**
7 **facilities.** The Treasurer of State is authorized,
8 under the direction of the Governor, to issue from
9 time to time registered bonds in the name and behalf
10 of the State to an amount not exceeding \$3,000,000 for
11 the purpose of raising funds to provide for
12 construction and renovation of public safety
13 facilities as authorized by section 6. The bonds
14 shall be deemed a pledge of the full faith and credit
15 of the State. The bonds shall not run for a longer
16 period than 10 years from the date of the original
17 issue thereof. Any issuance of bonds may contain a
18 call feature at the discretion of the Treasurer of
19 State with the approval of the Governor.

20 **Sec. 2. Records of bonds issued to be kept by**
21 **the State Auditor and Treasurer of State.** The State
22 Auditor shall keep an account of the bonds, showing
23 the number and amount of each, the date when payable
24 and the date of delivery of the bonds to the Treasurer
25 of State who shall keep an account of each bond
26 showing the number of the bonds, the name of the
27 successful bidder to whom sold, the amount received
28 for the same, the date of sale and the date when
29 payable.

30 **Sec. 3. Sale, how negotiated; proceeds**
31 **appropriated.** The Treasurer of State may negotiate
32 the sale of the bonds by direction of the Governor,
33 but no such bond may be loaned, pledged or
34 hypothecated in behalf of the State. The proceeds of
35 the sale of the bonds, which shall be held by the
36 Treasurer of State and paid by him upon warrants drawn
37 by the State Controller, are appropriated to be used
38 solely for the purposes set forth in this Act. Any
39 unencumbered balances remaining at the completion of
40 the projects in section 6 shall lapse to the debt
41 service account established for the retirement of

1 these bonds.

2 **Sec. 4. Interest and debt retirement.** Interest
3 due or accruing upon any bonds issued under this Act
4 and all sums coming due for payment of bonds at
5 maturity shall be paid by the Treasurer of State.

6 **Sec. 5. Disbursement of bond proceeds.** The
7 proceeds of the bonds set out in section 6 shall be
8 expended under the direction and supervision of the
9 Commissioner of Administration after consultation with
10 the Commissioner of Public Safety and the Commissioner
11 of Corrections.

12 **Sec. 6. Allocations from General Fund bond**
13 **issue; public safety facilities.** The proceeds of the
14 sale of bonds shall be expended for building,
15 including, where necessary, land acquisition, repair
16 or renovation of the following: public safety
17 facilities in an amount not to exceed \$3,000,000. No
18 money may be expended until the proceeds of the sale
19 of bonds are allocated by the Legislature.

20 **Sec. 7. Contingent upon ratification of bond**
21 **issue.** Sections 1 to 6 shall not become effective
22 unless and until the people of the State have ratified
23 the issuance of bonds as set forth in this Act.

24 **Sec. 8. Appropriation balances at year end.** At
25 the end of each fiscal year, all unencumbered
26 appropriation balances representing state money shall
27 carry forward from year to year. Bond proceeds which
28 have not been expended within 10 years after the date
29 of the sale of the bonds shall lapse to General Fund
30 debt service.

31 **Sec. 9. Bonds authorized but not issued.** Any
32 bonds authorized but not issued, or for which bond
33 anticipation notes have not been issued within 5 years
34 of the ratification of this Act, shall be deauthorized
35 and may not be issued, provided that the Legislature
36 may, within 2 years after the expiration of that
37 5-year period, extend the period for issuing any
38 remaining unissued bonds or bond anticipation notes
39 for an additional amount of time not to exceed 5 years.

1 Sec. 10. Statutory referendum procedure;
2 submission at general election; form of question;
3 effective date. This Act shall be submitted to the
4 legal voters of the State at the next general election
5 in the month of November following passage of this
6 Act. The city aldermen, town selectmen and plantation
7 assessors of this State shall notify the inhabitants
8 of their respective cities, towns and plantations to
9 meet in the manner prescribed by law for holding a
10 statewide election to vote on the acceptance or
11 rejection of this Act by voting on the following
12 question:

13 "Do you favor a \$3,000,000 bond issue to build,
14 repair or renovate public safety facilities?"

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

28 The Secretary of State shall prepare and furnish
29 to each city, town and plantation all ballots, returns
30 and copies of this Act necessary to carry out the
31 purpose of this referendum.

32 STATEMENT OF FACT

33 This bill provides for a bond issue in the amount
34 of \$3,000,000 for construction and renovation of
35 public safety facilities.

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