

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 748

H.P. 551

House of Representatives, March 9, 1989

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script, reading "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative ROLDE of York.

STATE OF MAINE

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

**An Act to Fund Asbestos Removal in State Facilities and Public
Schools.**



1 **Preamble.** Two thirds of both Houses of the Legislature
2 deeming it necessary in accordance with the Constitution of
3 Maine, Article IX, Section 14, to authorize the issuance of bonds
4 on behalf of the State of Maine to provide funds for detection
5 and removal of asbestos hazards in state facilities and public
6 schools.

7
8 **Be it enacted by the People of the State of Maine as follows:**

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

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

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

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

45 **Sec. 5. Disbursement of bond proceeds.** The proceeds of the
46 bonds set out in section 6 shall be expended under the direction
47 and supervision of the Director of Public Improvements.

Sec. 6. Allocations from General Fund bond issue; detection and removal of asbestos hazards in state facilities and public schools. The proceeds of the sale of bonds shall be expended as designated in the following schedule.

Detection and removal of asbestos hazards - state facilities and public schools	\$6,000,000
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Sec. 7. Contingent upon ratification of bond issue. Sections 1 to 6 shall not become effective unless and until the people of the State have ratified the issuance of bonds as set forth in this Act.

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

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

Sec. 10. Statutory referendum procedure; submission at statewide election; form of question; effective date. This Act shall be submitted to the legal voters of the State of Maine at a statewide election to be held on the Tuesday following the first Monday of November following passage of this Act. The city aldermen, town selectmen and plantation assessors of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Act by voting on the following question:

"Do you favor a \$6,000,000 bond issue for detection and removal of asbestos hazards in state facilities and public schools?"

The legal voters of each city, town and plantation shall vote by ballot on this question and shall designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots shall be received, sorted, counted or declared in open ward, town and plantation

1 meetings and returns made to the Secretary of State in the same
2 manner as votes for members of the Legislature. The Governor
3 shall review the returns and, if it appears that a majority of
4 the legal voters are in favor of the Act, the Governor shall
5 proclaim that fact without delay and the Act shall become
6 effective 30 days after the date of the proclamation.

7
8 The Secretary of State shall prepare and furnish to each
9 city, town and plantation all ballots, returns and copies of this
10 Act necessary to carry out the purpose of this referendum.

11
12 **STATEMENT OF FACT**
13 The funds provided by this bond issue, in the amount of
14 \$6,000,000, will be used for detection and removal of asbestos
15 hazards in state facilities and public schools.

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