

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 2443

H.P. 1775

House of Representatives, March 22, 1990

Reported by Representative FOSTER for the Supreme Judicial Court Plan and Design Commission pursuant to Resolve 1987, chapter 107.

Reference to the Joint Standing Committee on Appropriations and Financial Affairs suggested and printing ordered under Joint Rule 18.

A handwritten signature in cursive script that reads 'Ed Pert'.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act to Authorize a General Fund Bond Issue in the Amount of
\$18,989,530 for a New Supreme Judicial Court Facility in Augusta.



2 **Preamble.** Two thirds of both Houses of the Legislature
3 deeming it necessary in accordance with the Constitution of
4 Maine, Article IX, Section 14, to authorize the issuance of bonds
5 on behalf of the State of Maine to provide funds for the
6 construction of a new facility for the Supreme Judicial Court in
7 Augusta.

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

10 **Sec. 1. Authorization of bonds to provide for construction of a new**
11 **facility in Augusta for the Supreme Judicial Court.** The Treasurer of
12 State is authorized, under the direction of the Governor, to
13 issue from time to time registered bonds in the name and behalf
14 of the State to an amount not exceeding \$18,989,530 for the
15 purpose of raising funds for construction of a new facility for
16 the Supreme Judicial Court in Augusta as authorized by section
17 6. The bonds shall be deemed a pledge of the full faith and
18 credit of the State. The bonds shall not run for a longer period
19 than 20 years from the date of the original issue of the bonds.
20 Any issuance of bonds may contain a call feature at the
21 discretion of the Treasurer of State with the approval of the
22 Governor.

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

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

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

50 **Sec. 5. Disbursement of bond proceeds.** The proceeds of the
51 bonds set out in section 6 shall be expended under the direction

and supervision of the of the Judicial Department after
consultation with the Commissioner of Administration.

Sec. 6. Allocations from General Fund bond issue; Supreme Judicial Court facility. The proceeds of the sale of bonds shall be expended as designated in the following schedule.

Judicial Department	
Construction of new Supreme Judicial Court facility, at Augusta, including a working law library and adequate parking.	\$18,989,530

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. Referendum for ratification; submission at general election; form of question; effective date. This Act shall be submitted to the legal voters of the State of Maine at the next general election in the month 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 general election, to vote on the acceptance or rejection of this Act by voting on the following question:

"Do you favor a \$18,989,530 bond issue to fund construction of a new facility compatible with the Capitol in Augusta for the Supreme Judicial Court to include a working law library and adequate parking?"

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

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

18 STATEMENT OF FACT

20 This bill authorizes a bond issue referendum, as recommended
by the Supreme Judicial Court Design and Location Commission, in
22 the amount of \$18,989,530 for a new facility compatible with the
Capitol for the Supreme Judicial Court in Augusta including a
working law library and adequate parking.