



## **117th MAINE LEGISLATURE**

## FIRST REGULAR SESSION-1995

Legislative Document

No. 417

H.P. 313

House of Representatives, February 6, 1995

An Act to Authorize a General Fund Bond Issue in the Amount of \$4,000,000 for Facilities Serving People with Mental Illness.

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

JOSEPH W. MAYO, Clerk

Presented by Representative BRENNAN of Portland. Cosponsored by Representatives: DORE of Auburn, FITZPATRICK of Durham, JOHNSON of South Portland, MITCHELL of Portland. Preamble. Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine to provide funds for the acquisition, construction or rehabilitation of mental health facilities and subsidized apartments for people with mental illness.

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

Sec. 1. Authorization of bonds to provide for the acquisition, 12 construction or rehabilitation of mental health facilities and subsidized apartments for people with mental illness. The Treasurer of State is 14 authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding 16 \$4,000,000 to raise funds for the acquisition, construction or rehabilitation of mental health facilities and subsidized 18apartments for people with mental illness as authorized by section 6. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 20 20 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the 22 Governor, any issuance of bonds may contain a call feature.

- Sec. 2. Records of bonds issued to be kept by the Treasurer of State. The Treasurer of State shall keep an account of each bond showing the number of the bond, the name of the successful bidder to whom sold, the amount received for the bond, the date of sale and the date when payable.
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Sale; how negotiated; proceeds appropriated. Sec. 3. The Treasurer of State may negotiate the sale of the bonds by 32 direction of the Governor, but no bond may be loaned, pledged or 34 hypothecated on behalf of the State. The proceeds of the sale of the bonds, which must be held by the Treasurer of State and paid 36 by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion 38 of the project in section 6 lapse to the debt service account established for the retirement of these bonds. 40

- 42 Sec. 4. Interest and debt retirement. The Treasurer of State shall pay interest due or accruing on any bonds issued under this
  44 Act and all sums coming due for payment of bonds at maturity.
- 46 Sec. 5. Disbursement of bond proceeds. The proceeds of the bonds must be expended as set out in section 6 under the 48 direction and supervision of the Maine State Housing Authority.

Sec. 6. Allocations from General Fund bond issue; low-interest loan funds. The proceeds of the sale of bonds must be expended as
 designated in the following schedule.

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1995-96

## 8 MAINE STATE HOUSING AUTHORITY

- Acquisition, Construction or Rehabilitation - Mental Health
   Facilities and Subsidized Apartments
- 14 All Other

\$4,000,000

16 Sec. 7. Contingent upon ratification of bond issue. Sections 1 to 6 do not become effective unless the people of the State have 18 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 carry forward. Bond proceeds that have not been expended within 10 years after the date of the sale of the bonds
 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 are not issued within 5 years of ratification of this Act, are deauthorized and may not be issued; except 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 statewide election; form of question; effective date. This Act must be submitted to the legal voters of the State of Maine at a statewide election held on the Tuesday following the first Monday of November following passage of this Act. The municipal officers 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:

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"Do you favor a \$4,000,000 bond issue for the acquisition, construction or rehabilitation of mental health facilities and subsidized apartments for people with mental illness?"

The legal voters of each city, town and plantation shall 2 vote by ballot on this question and designate their choice by a 4 cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings б and returns made to the Secretary of State in the same manner as 8 votes for members of the Legislature. The Governor shall review the returns and, if a majority of the legal votes are cast in favor of the Act, the Governor shall proclaim the result without 10 delay, and the Act becomes effective 30 days after the date of 12 the proclamation.

- The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this
   Act necessary to carry out the purpose of this referendum.
  - STATEMENT OF FACT

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The funds provided by this bond issue, in the amount of 22 \$4,000,000, will be used for the acquisition, construction or rehabilitation of mental health facilities and subsidized 24 apartments for people with mental illness.