

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST SPECIAL SESSION-1997

Legislative Document

No. 1811

S.P. 610

In Senate, April 16, 1997

**An Act to Authorize a General Fund Bond Issue in the Amount of
\$10,000,000 for Construction of the Maine Criminal Justice Academy.**

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by President LAWRENCE of York. (GOVERNOR'S BILL).
Cosponsored by Senators: AMERO of Cumberland, RAND of Cumberland, Representatives:
MAYO of Bath, McALEVEY of Waterboro.

2 **Preamble.** Two thirds of both Houses of the Legislature
deeming it necessary in accordance with the Constitution of
4 Maine, Article IX, Section 14, to authorize the issuance of bonds
on behalf of the State of Maine to provide funds for construction
6 of the Maine Criminal Justice Academy.

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 the**
Maine Criminal Justice Academy. The Treasurer of State is
12 authorized, under the direction of the Governor, to issue bonds
in the name and on behalf of the State in an amount not exceeding
14 \$10,000,000 to raise funds for construction of the Maine Criminal
Justice Academy as authorized by section 6. The bonds are a
16 pledge of the full faith and credit of the State. The bonds may
not run for a period longer than 10 years from the date of the
18 original issue of the bonds. At the discretion of the Treasurer
of State, with the approval of the Governor, any issuance of
20 bonds may contain a call feature.

22 **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
24 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
26 date when payable.

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

38 **Sec. 4. Interest and debt retirement.** The Treasurer of State
shall pay interest due or accruing on any bonds issued under this
40 Act and all sums coming due for payment of bonds at maturity.

42 **Sec. 5. Disbursement of bond proceeds.** The proceeds of the
bonds must be expended as set out in section 6 under the
44 direction and supervision of the Commissioner of Administrative
and Financial Services.

46 **Sec. 6. Allocations from General Fund bond issue; public safety**
48 facilities. The proceeds of the sale of bonds must be expended as
designated in the following schedule.

2

4 DEPARTMENT OF PUBLIC SAFETY

6 Construction of the Maine Criminal Justice Academy including the acquisition of land, \$10,000,000
8 if necessary.

10 **Sec. 7. Contingent upon ratification of bond issue.** Sections 1 to
6 do not become effective unless the people of the State have
12 ratified the issuance of bonds as set forth in this Act.

14 **Sec. 8. Appropriation balances at year end.** At the end of each
fiscal year, all unencumbered appropriation balances representing
16 state money carry forward. Bond proceeds that have not been
expended within 5 years after the date of the sale of the bonds
18 lapse to General Fund debt service.

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

28

30 **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
32 held on the Tuesday following the first Monday of November
following passage of this Act. The municipal officers of this
34 State shall notify the inhabitants of their respective cities,
towns and plantations to meet, in the manner prescribed by law
36 for holding a statewide election, to vote on the acceptance or
rejection of this Act by voting on the following question:

38

40 "Do you favor a \$10,000,000 bond issue for construction of
the Maine Criminal Justice Academy?"

42 The legal voters of each city, town and plantation shall
vote by ballot on this question and designate their choice by a
44 cross or check mark placed within a corresponding square below
the word "Yes" or "No." The ballots must be received, sorted,
46 counted and declared in open ward, town and plantation meetings
and returns made to the Secretary of State in the same manner as
48 votes for members of the Legislature. The Governor shall review

2 the returns and, if a majority of the legal votes are cast in
4 favor of the Act, the Governor shall proclaim the result without
the proclamation.

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

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SUMMARY

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14 The funds provided by this bond issue, in the amount of
\$10,000,000, will be used for the construction of the Maine
Criminal Justice Academy.