

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 342

S.P. 116

In Senate, January 30, 2001

An Act to Authorize a General Fund Bond Issue in the Amount of \$10,000,000 to Make Maine Courts Compliant with the Federal American With Disabilities Act of 1990.

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 Senator LONGLEY of Waldo.
Cosponsored by Representative SCHNEIDER of Durham and
Senators: EDMONDS of Cumberland, MARTIN of Aroostook, TREAT of Kennebec,
Representative: LaVERDIERE of Wilton.

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 making the
6 State's courthouses compliant with the federal Americans with
Disabilities Act of 1990.

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

10 **Sec. 1. Authorization of bonds to provide for making the State's**
12 **courthouses compliant with the federal Americans with Disabilities Act of**
13 **1990.** The Treasurer of State is authorized, under the direction
14 of the Governor, to issue bonds in the name and on behalf of the
State in an amount not exceeding \$10,000,000 to raise funds for
16 making the State's courthouses compliant with the federal
Americans with Disabilities Act of 1990 as authorized by section
18 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 10 years
20 from the date of the original issue of the bonds. At the
discretion of the Treasurer of State, with the approval of the
Governor, any issuance of bonds may contain a call feature.

22 **Sec. 2. Records of bonds issued to be kept by the Treasurer of State.**
24 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
26 sold, the amount received for the bond, the date of sale and the
date when payable.

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

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

44 **Sec. 5. Disbursement of bond proceeds.** The proceeds of the
bonds must be expended as set out in section 6 under the
46 direction and supervision of the Maine Governmental Facilities
Authority.

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2 **Sec. 6. Allocations from General Fund bond issue; to make the**
3 **State's courthouses compliant with the federal Americans with Disabilities**
4 **Act of 1990.** The proceeds of the sale of the bonds must be
5 expended as designated in the following schedule.

6 **MAINE GOVERNMENTAL FACILITIES AUTHORITY**

8 Court Facilities \$10,000,000

10 To provide funds for making the State's
11 courthouses compliant with the federal
12 Americans with Disabilities Act of 1990.

14 **Sec. 7. Contingent upon ratification of bond issue.** Sections 1 to
15 6 do not become effective unless the people of the State have
16 ratified the issuance of the bonds as set forth in this Act.

18 **Sec. 8. Appropriation balances at year-end.** At the end of each
19 fiscal year, all unencumbered appropriation balances representing
20 state money carry forward. Bond proceeds that have not been
21 expended within 10 years after the date of the sale of the bonds
22 lapse to General Fund debt service.

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

32 **Sec. 10. Referendum for ratification; submission at statewide**
33 **election; form of question; effective date.** This Act must be submitted
34 to the legal voters of the State of Maine at a statewide election
35 held on the Tuesday following the first Monday of November
36 following passage of this Act. The municipal officers of this
37 State shall notify the inhabitants of their respective cities,
38 towns and plantations to meet, in the manner prescribed by law
39 for holding a statewide election, to vote on the acceptance or
40 rejection of this Act by voting on the following question:

42 "Do you favor a \$10,000,000 bond issue for making the
43 State's courthouses compliant with the federal Americans
44 with Disabilities Act of 1990?"

46 The legal voters of each city, town and plantation shall
47 vote by ballot on this question and designate their choice by a

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

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The Secretary of State shall prepare and furnish to each
12 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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The funds provided by this bond issue, in the amount of
20 \$10,000,000, will be used to make the State's courthouses
compliant with the federal Americans with Disabilities Act of
1990.