

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1440

S.P. 438

In Senate, March 5, 2001

An Act to Authorize a General Fund Bond Issue in the Amount of \$7,000,000 to Provide Adequate Facilities for Business Expansion or Relocation in the State.

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 MICHAUD of Penobscot.
Cosponsored by Senators: BROMLEY of Cumberland, CATHCART of Penobscot,
KNEELAND of Aroostook, MARTIN of Aroostook, SHOREY of Washington,
Representatives: JONES of Greenville, STANLEY of Medway, TESSIER of Fairfield.

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 adequate
6 facilities for business expansion or relocation.

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

8
9 **Sec. 1. Authorization of bonds to provide for adequate facilities for**
10 **business expansion or relocation.** The Treasurer of State is
11 authorized, under the direction of the Governor, to issue bonds
12 in the name and on behalf of the State in an amount not exceeding
13 \$7,000,000 to raise funds for adequate facilities for business
14 expansion or relocation as authorized by section 6. The bonds
15 are a pledge of the full faith and credit of the State. The
16 bonds may not run for a period longer than 20 years from the date
17 of the original issue of the bonds. At the discretion of the
18 Treasurer of State, with the approval of the Governor, any
19 issuance of bonds may contain a call feature.

20 **Sec. 2. Records of bonds issued to be kept by the Treasurer of State.**
21 The Treasurer of State shall keep an account of each bond showing
22 the number of the bond, the name of the successful bidder to whom
23 sold, the amount received for the bond, the date of sale and the
24 date when payable.

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

36 **Sec. 4. Interest and debt retirement.** The Treasurer of State
37 shall pay interest due or accruing on any bonds issued under this
38 Act and all sums coming due for payment of bonds at maturity.
39

40 **Sec. 5. Disbursement of bond proceeds.** The proceeds of the
41 bonds must be expended as set out in section 6 under the
42 direction and supervision of the Department of Economic and
43 Community Development.
44

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

2 **ECONOMIC AND COMMUNITY**
3 **DEVELOPMENT, DEPARTMENT OF** \$7,000,000

4
5 Provides funds for adequate facilities for
6 business expansion or relocation to be
7 administered by the Department of Economic
8 and Community Development in accordance with
9 the laws governing community industrial
10 buildings in the Maine Revised Statutes,
11 Title 5, chapter 383, subchapter III,
12 Article 2.

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

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

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

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

41 "Do you favor a \$7,000,000 bond issue for adequate
42 facilities for business expansion or relocation?"
43

44 The legal voters of each city, town and plantation shall
45 vote by ballot on this question and designate their choice by a
46 cross or check mark placed within a corresponding square below
47

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

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

14

SUMMARY

16

18 The funds provided by this bond issue, in the amount of
\$7,000,000, will be used to provide funds for adequate facilities
for business expansion or relocation.