MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1593

S.P. 506

In Senate, March 13, 2001

An Act to Authorize a General Fund Bond Issue in the Amount of \$20,000,000 to Address the Affordable Housing Crisis in the State.

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

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator DAGGETT of Kennebec. Cosponsored by Representative COLWELL of Gardiner and Senators: BROMLEY of Cumberland, CARPENTER of York, CATHCART of Penobscot, DOUGLASS of Androscoggin, EDMONDS of Cumberland, GAGNON of Kennebec, KILKELLY of Lincoln, LaFOUNTAIN of York, LEMONT of York, LONGLEY of Waldo, MILLS of Somerset, NUTTING of Androscoggin, O'GARA of Cumberland, PENDLETON of Cumberland, RAND of Cumberland, ROTUNDO of Androscoggin, SAWYER of Penobscot, SMALL of Sagadahoc, TREAT of Kennebec, Representatives: BAKER of Bangor, BLANCHETTE of Bangor, BLISS of South Portland, BROOKS of Winterport, BULL of Freeport, CHICK of Lebanon, COTE of Lewiston, COWGER of Hallowell, DESMOND of Mapleton, DORR of Camden, DUDLEY of Portland, DUGAY of Cherryfield, ETNIER of Harpswell, FISHER of Brewer, FULLER of Manchester, GAGNE of Buckfield, GERZOFSKY of Brunswick, GREEN of Monmouth, HALL of Bristol, LORING of Penobscot Nation, MARLEY of Portland, MAYO of Bath, McKEE of Wayne, McLAUGHLIN of Cape Elizabeth, McNEIL of Rockland, MENDROS of Lewiston, MICHAEL of Auburn, MICHAUD of Fort Kent, MURPHY of Berwick, NASS of Acton, NORTON of Bangor, O'BRIEN of Augusta, O'BRIEN of Lewiston, PATRICK of Rumford, PEAVEY of Woolwich, PERRY of Bangor, POVICH of Ellsworth, RICHARDSON of Brunswick, SAVAGE of Buxton, Speaker SAXL of Portland, SIMPSON of Auburn. STANLEY of Medway, SULLIVAN of Biddeford, TRACY of Rome, TUTTLE of Sanford. VOLENIK of Brooklin.

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 affordable housing.

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

- Sec. 1. Authorization of bonds to address affordable housing crisis. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$20,000,000 to raise funds for the Maine State Housing Authority to address the affordable housing crisis in Maine by rehabilitating existing housing, acquiring affordable land and creating new permanent affordable rental units and owner-occupied rental units with attention to the affected populations 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 10 years 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.
- Sec. 2. Records of bonds issued to be kept by 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.
- Sec. 3. Sale; how negotiated; proceeds appropriated. The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no bond may be loaned, pledged or 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 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 of the project in section 6 lapse to the debt service account established for the retirement of these bonds.

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

Sec. 5. Disbursement of bond proceeds. The proceeds of the bonds must be expended as set out in section 6 under the direction and supervision of the Maine State Housing Authority.

Sec. 6. Allocations from General Fund bond issue; affordable housing. The proceeds of the sale of the bonds must be expended as designated in the following schedule.

MAINE STATE HOUSING AUTHORITY

\$20,000,000

To address the affordable housing crisis.

Sec. 7. Contingent upon ratification of bond issue. Sections 1 to 6 do not become effective unless the people of the State have ratified the issuance of the 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:

"Do you favor a \$20,000,000 bond issue to address the affordable housing crisis in Maine?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a 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 and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns and, if a majority of the legal votes are cast in

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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.

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10 SUMMARY

The funds provided by this bond issue, in the amount of \$20,000,000, will be used for the Maine State Housing Authority to address the affordable housing crisis in Maine by rehabilitating existing housing, acquiring affordable land and creating permanent affordable rental units and owner occupied rental units.