MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1089

S.P. 361

In Senate, March 4, 2003

An Act To Authorize a General Fund Bond Issue in the Amount of \$15,000,000 for Energy Conservation in State Buildings and Facilities

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

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator HALL of Lincoln.
Cosponsored by Representative BLISS of South Portland and
Senators: President DAGGETT of Kennebec, GAGNON of Kennebec.

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 as described in this Act,

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

PART A

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- Sec. A-1. Authorization of bonds. 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 \$15,000,000 to raise funds for energy efficiency improvements at state buildings and facilities as authorized by this Part. 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. A-2. Records of bonds issued 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. A-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 Part. Any unencumbered balances remaining at the completion of the project in this Part lapse to the debt service account established for the retirement of these bonds.

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

Sec. A-5. Disbursement of bond proceeds. The proceeds of the bonds must be expended as set out in this Part under the direction and supervision of the Department of Administrative and Financial Services.

Sec. A-6. Allocations from General Fund bond issue. The proceeds of the sale of the bonds must be expended as designated in the following schedule. ADMINISTRATIVE AND FINANCIAL SERVICES. DEPARTMENT OF 6 Provides funds for energy efficiency \$15,000,000 8 improvements at state buildings and 10 facilities as identified by the Department of Administrative and 12 Financial Services. Sec. A-7. Contingent upon ratification of bond issue. Sections 1 14 to 6 do not become effective unless the people of the State ratify the issuance of the bonds as set forth in this Part. 16 Sec. A-8. Appropriation balances at year-end. At the end of each 18 fiscal year, all unencumbered appropriation balances representing 20 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. 22 Sec. A-9. Bonds authorized but not issued. Any bonds authorized 24 but not issued, or for which bond anticipation notes are not issued within 5 years of ratification of this Part, 26 deauthorized and may not be issued, except that the Legislature may, within 2 years after the expiration of that 5-year period, 28 extend the period for issuing any remaining unissued bonds or 30 bond anticipation notes for an additional amount of time not to exceed 5 years. 32 Sec. A-10. Referendum for ratification; submission at statewide 34 election; form of question; effective date. This Part must be submitted to the legal voters of the State at a statewide election held on the Tuesday following the first Monday of November following 36 passage of this Part. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and 38 plantations to meet, in the manner prescribed by law for holding 40 a statewide election, to vote on the acceptance or rejection of this Part by voting on the following question: 42 you favor а \$15,000,000 bond issue for energy 44 conservation at state buildings and facilities?" 46 The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a 48 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 favor of this Part, the Governor shall proclaim the result without delay, and this Part becomes effective 30 days after the date of the proclamation.

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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 Part necessary to carry out the purposes of this referendum.

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PART B

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Sec. B-1. Transfer of funds. Notwithstanding any other provision of law, the State Controller shall transfer \$250,000 from the Conservation Program Fund, Other Special Revenue Funds account in the Public Utilities Commission to the Department of Administrative and Financial Services no later than October 3, 2003.

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SUMMARY

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The funds provided by this bond issue, in the amount of \$15,000,000, will be used for energy efficiency improvements at state buildings and facilities. The bill also authorizes a transfer of \$250,000 from the Conservation Program Fund to the Department Administrative Financial ο£ and Services completion οf an audit οf state energy consumption and opportunities for increased energy efficiency at state buildings and facilities.