

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 997

S.P. 337

In Senate, February 24, 2005

**An Act To Authorize a General Fund Bond Issue To Match
Available Federal Funds To Repair and Upgrade Maine National
Guard Armories**

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 GAGNON of Kennebec. (GOVERNOR'S BILL)
Cosponsored by Representative PATRICK of Rumford and
Senator: MARTIN of Aroostook, Representatives: BLANCHETTE of Bangor, BRANNIGAN
of Portland, FISCHER of Presque Isle, HOTHAM of Dixfield, TUTTLE of Sanford,
VALENTINO of Saco.

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 as described in
6 this Act,

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

10 **Sec. 1. Authorization of bonds.** 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 \$1,000,000 for the purposes described in section 6 of this Act.
The bonds are a pledge of the full faith and credit of the
16 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
18 discretion of the Treasurer of State, with the approval of the
Governor, any issuance of bonds may contain a call feature.

20 **Sec. 2. Records of bonds issued kept by Treasurer of State.** The
Treasurer of State shall keep an account of each bond showing the
22 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
24 date when payable.

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

36 **Sec. 4. Interest and debt retirement.** The Treasurer of State
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.

40 **Sec. 5. Disbursement of bond proceeds.** The proceeds of the
bonds must be expended as set out in this Act under the direction
42 and supervision of the Department of Administrative and Financial
Services.

44 **Sec. 6. Allocations from General Fund bond issue.** The proceeds
46 of the sale of the bonds authorized under this Act must be
expended as designated in the following schedule.

48 **ADMINISTRATIVE AND FINANCIAL SERVICES,**

DEPARTMENT OF

2 Capital investments for Maine National Guard \$1,000,000
4 armory and facility repairs, upgrades and
6 construction throughout the State.

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

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

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

26 **Sec. 10. Referendum for ratification; submission at statewide
election; form of question; effective date.** This Act must be submitted
28 to the legal voters of the State at a statewide election held in
June following passage of this Act. The municipal officers of
30 this State shall notify the inhabitants of their respective
cities, towns and plantations to meet, in the manner prescribed
32 by law for holding a statewide election, to vote on the
acceptance or rejection of this Act by voting on the following
34 question:

36 "Do you favor a \$1,000,000 bond issue to repair, upgrade and
38 construct Maine National Guard armories and facilities to
make the State eligible for \$1,000,000 in matching federal
40 funds?"

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
the returns and, if a majority of the legal votes are cast in
50 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.

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

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SUMMARY

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10 The funds provided by this bond issue, in the amount of
\$1,000,000, will be used to repair, upgrade and construct Maine
National Guard armories and facilities. State funds spent on
12 repair leverage federal funds at a one-to-one ratio. State funds
spent on construction leverage federal funds at a one-to-three
14 ratio.