

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 998

S.P. 338

In Senate, February 24, 2005

An Act To Authorize Department of Transportation Bond Issues To Match Available Federal Funds for Improvements to Highways and Bridges; Airports; Public Transit; State-owned Ferry Vessels and Ferry and Port Facilities; Port and Harbor Structures; Development of Rail Corridors and Improvements to Railroad Structures; and Statewide Trail and Pedestrian Improvements

Reference to the Committee on Transportation 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 DAMON of Hancock. (GOVERNOR'S BILL)
Cosponsored by Representative SAMPSON of Auburn and
Senators: ROSEN of Hancock, SAVAGE of Knox, Representatives: BROWNE of Vassalboro,
COLLINS of Wells, HOGAN of Old Orchard Beach, MAZUREK of Rockland, McKENNEY
of Cumberland, PARADIS of Frenchville.

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
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
\$38,000,000 for the purposes described in section 6 of this Act.
14 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
16 from the date of the original issue of the bonds. At the
discretion of the Treasurer of State, with the approval of the
18 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 Commissioner of Transportation.

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

48 **TRANSPORTATION, DEPARTMENT OF**

2 port and harbor structures; development of rail corridors
and improvements to railroad structures; and statewide trail
4 and pedestrian improvements that make the State eligible for
up to \$148,000,000 in matching federal funds?"

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

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

22 SUMMARY

24 The funds provided by this bond issue, in the amount of
26 \$38,000,000, will be used for improvements to highways and
bridges; airports, public transit and state-owned ferry vessels
28 and ferry and port facilities; port and harbor structures;
development of rail corridors and improvements to railroad
30 structures; and statewide trail and pedestrian improvements that
make the State eligible for up to \$148,000,000 in matching
32 federal funds.