

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1095

S.P. 377

In Senate, March 19, 2013

**An Act To Authorize a General Fund Bond Issue To Improve
Highways, Bridges and Multimodal Facilities**

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator FLOOD of Kennebec. (GOVERNOR'S BILL)
Cosponsored by Representative THERIAULT of Madawaska and
Senators: COLLINS of York, HILL of York, Representatives: CHASE of Wells, GILLWAY
of Searsport, NUTTING of Oakland, PARRY of Arundel, VEROW of Brewer, WERTS of
Auburn.

1 **Preamble.** Two thirds of both Houses of the Legislature deeming it necessary in
2 accordance with the Constitution of Maine, Article IX, Section 14 to authorize the
3 issuance of bonds on behalf of the State of Maine to provide funds as described in this
4 Act,

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

6 **Sec. 1. Authorization of bonds.** The Treasurer of State is authorized, under the
7 direction of the Governor, to issue bonds in the name and on behalf of the State in an
8 amount not exceeding \$100,000,000 for the purposes described in section 5 of this Act.
9 The bonds are a pledge of the full faith and credit of the State. The bonds may not run for
10 a period longer than 10 years from the date of the original issue of the bonds.

11 **Sec. 2. Records of bonds issued; Treasurer of State.** The Treasurer of State
12 shall ensure that an account of each bond is kept showing the number of the bond, the
13 name of the successful bidder to whom sold, the amount received for the bond, the date of
14 sale and the date when payable.

15 **Sec. 3. Sale; how negotiated; proceeds appropriated.** The Treasurer of State
16 may negotiate the sale of the bonds by direction of the Governor, but no bond may be
17 loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the
18 bonds, which must be held by the Treasurer of State and paid by the Treasurer of State
19 upon warrants drawn by the State Controller, are appropriated solely for the purposes set
20 forth in this Act. Any unencumbered balances remaining at the completion of the project
21 in this Act lapse to the Office of the Treasurer of State to be used for the retirement of
22 general obligation bonds.

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

26 **Sec. 5. Disbursement of bond proceeds from General Fund bond issue.**
27 The proceeds of the sale of the bonds authorized under this Act must be expended as
28 designated in the following schedule under the direction and supervision of the agencies
29 and entities set forth in this section.

30 **TRANSPORTATION, DEPARTMENT**
31 **OF**

32 Provides funds to construct, reconstruct or rehabilitate Priority 1, Priority 2 and
33 Priority 3 state highways under the Maine Revised Statutes, Title 23, section 73,
34 subsection 7 and associated improvements.

35
36 Total \$46,000,000

37 Provides funds for municipal partnership initiatives and the Secondary Road Program
38 Fund established in the Maine Revised Statutes, Title 23, section 1803-C.

1		
2	Total	\$5,000,000
3	Provides funds to replace and rehabilitate bridges.	
4		
5	Total	\$30,000,000
6	Provides funds for facilities or equipment related to ports, harbors, marine	
7	transportation, aviation, freight and passenger railroads and transit that preserve	
8	public safety or otherwise have demonstrated high transportation economic value.	
9		
10	Total	\$19,000,000

11 **Sec. 6. Contingent upon ratification of bond issue.** Sections 1 to 5 do not
12 become effective unless the people of the State ratify the issuance of the bonds as set
13 forth in this Act.

14 **Sec. 7. Appropriation balances at year-end.** At the end of each fiscal year, all
15 unencumbered appropriation balances representing state money carry forward. Bond
16 proceeds that have not been expended within 10 years after the date of the sale of the
17 bonds lapse to the Office of the Treasurer of State to be used for the retirement of general
18 obligation bonds.

19 **Sec. 8. Bonds authorized but not issued.** Any bonds authorized but not issued
20 within 5 years of ratification of this Act are deauthorized and may not be issued, except
21 that the Legislature may, within 2 years after the expiration of that 5-year period, extend
22 the period for issuing any remaining unissued bonds for an additional amount of time not
23 to exceed 5 years.

24 **Sec. 9. Referendum for ratification; submission at election; form of**
25 **question; effective date.** This Act must be submitted to the legal voters of the State at
26 a statewide election held in the month of November following passage of this Act. The
27 municipal officers of this State shall notify the inhabitants of their respective cities, towns
28 and plantations to meet, in the manner prescribed by law for holding a statewide election,
29 to vote on the acceptance or rejection of this Act by voting on the following question:

30 "Do you favor a \$100,000,000 bond issue for reconstruction and
31 rehabilitation of highways and bridges and for facilities or equipment
32 related to ports, harbors, marine transportation, freight and passenger
33 railroads, aviation and transit, to be used to match an estimated
34 \$154,000,000 in federal and other funds?"

35 The legal voters of each city, town and plantation shall vote by ballot on this question
36 and designate their choice by a cross or check mark placed within a corresponding square
37 below the word "Yes" or "No." The ballots must be received, sorted, counted and
38 declared in open ward, town and plantation meetings and returns made to the Secretary of

1 State in the same manner as votes for members of the Legislature. The Governor shall
2 review the returns. If a majority of the legal votes are cast in favor of this Act, the
3 Governor shall proclaim the result without delay and this Act becomes effective 30 days
4 after the date of the proclamation.

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

8 **SUMMARY**

9 The funds provided by this bond issue, in the amount of \$100,000,000, will be used
10 for reconstruction and rehabilitation of highways and bridges and for facilities or
11 equipment related to ports, harbors, marine transportation, freight and passenger
12 railroads, aviation and transit, matching an estimated \$154,000,000 in federal and other
13 funds.