

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2014

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Legislative Document

No. 1767

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S.P. 702

In Senate, February 11, 2014

**An Act To Authorize a General Fund Bond Issue for the Purchase of  
the Bar Harbor Ferry Terminal**

(AFTER DEADLINE)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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 LANGLEY of Hancock.  
Cosponsored by Representative HUBBELL of Bar Harbor and  
Senators: BURNS of Washington, CUSHING of Penobscot, Representatives: CASSIDY of  
Lubec, DOAK of Columbia Falls, GILLWAY of Searsport, LOCKMAN of Amherst,  
LUCHINI of Ellsworth, MALABY of Hancock.

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 \$3,000,000 for the purposes described in section 5 of this Act. The  
9 bonds are a pledge of the full faith and credit of the State. The bonds may not run for a  
10 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           **Maine Port Authority**

34           Provides funds to purchase the Bar Harbor Ferry Terminal from the government of  
35 Canada.

36  
37           Total \$3,000,000

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

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

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

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

20                                "Do you favor a \$3,000,000 bond issue to purchase the Bar Harbor Ferry  
21                                Terminal from the government of Canada?"

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

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

33    **SUMMARY**

34          The funds provided by this bond issue, in the amount of \$3,000,000, will be used to  
35          purchase the Bar Harbor Ferry Terminal from the government of Canada.