



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 874

S.P. 299

In Senate, March 5, 2013

**An Act To Authorize a General Fund Bond Issue To Reduce the
Cost of Shipping for Maine Businesses, Attract Tourists and
Facilitate the Development of Commuter Rail Transportation**

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 MAZUREK of Knox.
Cosponsored by Representative THERIAULT of Madawaska and
Senator: PATRICK of Oxford, Representatives: EVANGELOS of Friendship, VEROW of
Brewer.

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 \$27,500,000 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 for railroad reconstruction and expansion to assist Maine's businesses
33 by facilitating the shipment of goods and enhancing the ability of the businesses to
34 compete.

35
36 Total \$27,500,000

37 **Sec. 6. Consultation with business and economic development sectors.**
38 The Department of Transportation shall consult with the business and economic

1 development sectors to develop a list of priorities of railroad construction and
2 reconstruction projects for use in determining the allocation of bond proceeds for railroad
3 construction and expansion pursuant to this Act. To determine priorities of commuter and
4 passenger railroad projects, the department shall consult with organizations representing
5 the public, including tourism associations and citizens groups, focusing on projects
6 important to tourism and projects with greatest potential for increased commuter and
7 passenger rail service and taking into consideration the extent to which the proposed
8 projects reduce the consumption of oil.

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

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

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

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

28 "Do you favor a \$27,500,000 bond issue to provide funds for railroad
29 reconstruction and expansion to assist Maine's businesses by facilitating
30 the shipment of goods and enhancing the ability of those businesses to
31 compete?"

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

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

1 **SUMMARY**

2 The funds provided by this bond issue, in the amount of \$27,500,000, will be used to
3 provide funds for railroad reconstruction and expansion to assist Maine's businesses by
4 facilitating the shipment of goods and enhancing the ability of those businesses to
5 compete. It requires that the Department of Transportation consult with the business and
6 economic development sectors to develop a list of priorities in regard to railroad
7 construction and reconstruction projects, focusing on projects important to tourism and
8 projects with greatest potential for increased commuter and passenger rail service and
9 taking into consideration the extent to which the proposed projects reduce the
10 consumption of oil.