

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 799

S.P. 266

In Senate, February 15, 2005

**An Act To Authorize a General Fund Bond Issue To Create a
Holocaust Human Rights Center at the University of Maine at
Augusta**

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 MITCHELL of Kennebec.
Cosponsored by Representative LERMAN of Augusta and
Senators: President EDMONDS of Cumberland, MARTIN of Aroostook, ROSEN of Hancock,
TURNER of Cumberland, Representatives: DAVIS of Augusta, GOLDMAN of Cape
Elizabeth, MILLS of Farmington, NORTON of Bangor.

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
\$1,000,000 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
Governor, any issuance of bonds may contain a call feature.

18 **Sec. 2. Records of bonds issued kept by Treasurer of State.** The
20 Treasurer of State shall keep an account of each bond showing the
number of the bond, the name of the successful bidder to whom
22 sold, the amount received for the bond, the date of sale and the
date when payable.

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

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

48 **University of Maine System**

2 Funds to construct and establish a \$1,000,000
3 Holocaust Human Rights Center at the
4 University of Maine at Augusta

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

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

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

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

30 "Do you favor a \$1,000,000 bond issue to construct and
31 establish a Holocaust Human Rights Center at the University
32 of Maine at Augusta?"

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

