

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1458

H.P. 1047

House of Representatives, May 3, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

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

A handwritten signature in cursive script that reads 'Ed Pert'.

EDWIN H. PERT, Clerk

Presented by Representative CARTER of Winslow.

Cosponsored by Representative McGOWAN of Canaan, Representative LISNIK of Presque Isle and Senator PEARSON of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

An Act to Clarify the Borrowing Authority of the University of Maine System.

(AFTER DEADLINE)

(EMERGENCY)



1 **Emergency preamble.** Whereas, Acts of the Legislature do not
2 become effective until 90 days after adjournment unless enacted
3 as emergencies; and

5 Whereas, there has been uncertainty concerning the intent of
6 the Legislature in granting certain borrowing authority to the
7 Board of Trustees of the University of Maine System; and

9 Whereas, this uncertainty has led to commitments and
10 undertakings which are contrary to the intent of the Legislature
11 in the granting of borrowing authority; and

13 Whereas, it is important that any uncertainty be resolved,
14 and the authority clarified before any further commitments or
15 undertakings are made; and

17 Whereas, in the judgment of the Legislature, these facts
18 create an emergency within the meaning of the Constitution of
19 Maine and require the following legislation as immediately
20 necessary for the preservation of the public peace, health and
21 safety; now, therefore,

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

25 **20-A MRSA §10951, sub-§1,** as enacted by PL 1987, c. 735,
26 §14, is amended to read:

27 1. **Assured revenues.** "Assured revenues," as used in this
28 chapter and in chapter 411, means revenues to be received from
29 grants, subsidies, contracts, leases or other agreements made by
30 or with the Federal Government, the State or any political
31 subdivision, agency or instrumentality of the Federal Government
32 or the State, or others; or revenues to be received from existing
33 projects, from projects under construction or from projects for
34 which the university has entered into a binding commitment for
35 the acquisition, construction or accomplishment of the project,
36 anticipated by the trustees to produce annual revenues in an
37 amount not less than the anticipated annual cost of operation,
38 maintenance and repair of such project, including aggregate
39 annual debt service payments on any financing for the project,
40 during the term of any financing effected under this chapter for
41 the project, as determined by the trustees. Assured revenues, as
42 used in this chapter and in chapter 411, are limited to those
43 revenues which are received, or will be received, during the
44 biennium in which the borrowing takes place.

47 **Emergency clause.** In view of the emergency cited in the
preamble, this Act shall take effect when approved.

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STATEMENT OF FACT

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This bill clarifies legislative intent regarding the tax exempt borrowing authority of the University of Maine System by limiting the borrowing authority to short-term loans within the State's current biennium.