

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1994

Legislative Document

No. 1939

S.P. 717

In Senate, February 24, 1994

**An Act to Authorize a General Fund Bond Issue in the Amount of \$10,000,000 to Expand and Improve the State's Distance Learning Infrastructure.**

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 AMERO of Cumberland. (GOVERNOR'S BILL).  
Cosponsored by Senator: O'DEA of Penobscot, Representatives: MITCHELL of Vassalboro,  
NORTON of Winthrop, SIMONDS of Cape Elizabeth, SMALL of Bath.

2           **Preamble.** Two thirds of both Houses of the Legislature  
4           deeming it necessary in accordance with the Constitution of  
6           Maine, Article IX, Section 14, to authorize the issuance of bonds  
          on behalf of the State of Maine to provide funds for a distance  
          learning network between the State's secondary education and  
          higher education facilities.

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

10          **Sec. 1. Authorization of bonds to provide for funds to construct a**  
12          **distance learning network.** The Treasurer of State is authorized,  
14          under the direction of the Governor, to issue bonds in the name  
16          and behalf of the State in an amount not exceeding \$10,000,000 to  
18          raise funds for the extension and improvement of the State's  
20          distance learning network as authorized by section 6. 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 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.

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

28          **Sec. 3. Sale; how negotiated; proceeds appropriated.** The  
30          Treasurer of State may negotiate the sale of the bonds by  
32          direction of the Governor, but no bond may be loaned, pledged or  
34          hypothecated on behalf of the State. The proceeds of the sale of  
36          the bonds, which must be held by the Treasurer of State and paid  
          by the Treasurer of State upon warrants drawn by the State  
          Controller, are appropriated solely for the purposes set forth in  
          this Act. Any unencumbered balances remaining at the completion  
          of the project in section 6 lapse to the debt service account  
          established for the retirement of these bonds.

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

44          **Sec. 5. Disbursement of bond proceeds.** The proceeds of the  
46          bonds must be expended as set out in section 6 under the  
          direction and supervision of the Department of Education.

48          **Sec. 6. Allocations from General Fund bond issue; construct a**  
          **learning network between the State's secondary education and higher**  
          **education**

2 facilities. The proceeds of the sale of bonds must be expended as  
designated in the following schedule.

4 1994-95

6 EDUCATION, DEPARTMENT OF

8 Interactive Television System Upgrade \$10,000,000  
and new equipment

10  
12 **Sec. 7. Contingent upon ratification of bond issue.** Sections 1 to  
14 6 do not become effective unless the people of the State have  
ratified the issuance of bonds as set forth in this Act.

16 **Sec. 8. Appropriation balances at year end.** At the end of each  
18 fiscal year, all unencumbered appropriation balances representing  
state money carry forward. Bond proceeds that have not been  
lapse to General Fund debt service.

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

30 **Sec. 10. Referendum for ratification; submission at general election;**  
32 **form of question; effective date.** This Act must be submitted to the  
legal voters of the State of Maine at the next general election  
34 in the month of November following passage of this Act. The  
municipal officers of this State shall notify the inhabitants of  
36 their respective cities, towns and plantations to meet, in the  
manner prescribed by law for holding a general election, to vote  
38 on the acceptance or rejection of this Act by voting on the  
following question:

40 "Do you favor a \$10,000,000 bond issue to construct a  
42 distance learning network linking the State's high schools  
and higher education facilities through an interactive  
television system?"

44  
46 The legal voters of each city, town and plantation shall  
vote by ballot on this question and designate their choice by a  
48 cross or check mark placed within a corresponding square below  
the word "Yes" or "No." The ballots must be received, sorted,  
50 counted and declared in open ward, town and plantation meetings  
and returns made to the Secretary of State in the same manner as

2 votes for members of the Legislature. The Governor shall review  
the returns and, if a majority of the legal votes are cast in  
4 favor of the Act, the Governor shall proclaim the result without  
delay, and the Act becomes effective 30 days after the date of  
the proclamation.

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

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**STATEMENT OF FACT**

14 The funds provided by this bond issue, in the amount of  
\$10,000,000, will be used to raise funds to enhance and improve  
16 the State's distance learning infrastructure establishing a  
distance learning network that would link the State's high  
18 schools and higher education facilities through an interactive  
television system.

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26 This document has not yet been reviewed to determine the  
need for cross-reference, stylistic and other technical  
amendments to conform existing law to current drafting standards.