

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1998

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Legislative Document

No. 2107

S.P. 780

In Senate, January 20, 1998

**An Act to Authorize a General Fund Bond Issue in the Amount of \$12,000,000 to Enable Maine Public Broadcasting to Implement the Federally Mandated Conversion to Digital Broadcasting.**

(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 cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator AMERO of Cumberland.  
Cosponsored by Representative DONNELLY of Presque Isle and  
Senators: BENNETT of Oxford, CLEVELAND of Androscoggin, PINGREE of Knox,  
SMALL of Sagadahoc, Representative: KONTOS of Windham.

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 the  
      conversion to digital broadcasting by the Maine Public  
      Broadcasting Corporation.

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

10       **Sec. 1. Authorization of bonds to provide for the conversion to digital**  
12       **broadcasting by the Maine Public Broadcasting Corporation.** The  
14       Treasurer of State is authorized, under the direction of the  
16       Governor, to issue bonds in the name and on behalf of the State  
18       in an amount not exceeding \$12,000,000 to raise funds for the  
20       conversion to digital broadcasting by the Maine Public  
22       Broadcasting Corporation 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 20 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.

24       **Sec. 2. Records of bonds issued to be kept by the Treasurer of State.**  
26       The Treasurer of State shall keep an account of each bond showing  
28       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.

30       **Sec. 3. Sale; how negotiated; proceeds appropriated.** The  
32       Treasurer of State may negotiate the sale of the bonds by  
34       direction of the Governor, but no bond may be loaned, pledged or  
36       hypothecated on behalf of the State. The proceeds of the sale of  
38       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.

40       **Sec. 4. Interest and debt retirement.** The Treasurer of State  
42       shall pay interest due or accruing on any bonds issued under this  
      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  
48       direction and supervision of the Maine Public Broadcasting  
      Corporation.

2       **Sec. 6. Allocations from General Fund bond issue; conversion to**  
3       **digital broadcasting.** The proceeds of the sale of bonds must be  
4       expended as designated in the following schedule.

5       **MAINE PUBLIC BROADCASTING CORPORATION**                   \$12,000,000

6       To implement the federally mandated  
7       conversion to digital broadcasting.

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

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

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

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

34       "Do you favor a \$12,000,000 bond issue for the conversion to  
35       digital broadcasting by the Maine Public Broadcasting  
36       Corporation?"

37       The legal voters of each city, town and plantation shall  
38       vote by ballot on this question and designate their choice by a  
39       cross or check mark placed within a corresponding square below  
40       the word "Yes" or "No." The ballots must be received, sorted,  
41       counted and declared in open ward, town and plantation meetings

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

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

## 12 SUMMARY

14 The funds provided by this bond issue, in the amount of  
\$12,000,000, will be used by the Maine Public Broadcasting  
16 Corporation to implement the federally mandated conversion to  
digital broadcasting.