

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 586

S.P. 195

In Senate, February 3, 2005

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**An Act To Authorize a General Bond Issue To Improve the Quality  
and Safety of Teaching and Science Laboratories**

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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 SCHNEIDER of Penobscot.  
Cosponsored by Representative NORTON of Bangor and  
Senators: MARTIN of Aroostook, MAYO of Sagadahoc, MILLS of Somerset, MITCHELL of  
Kennebec, PERRY of Penobscot, STRIMLING of Cumberland, Representatives:  
EDGECOMB of Caribou, FINCH of Fairfield.

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  
\$50,000,000 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 improve and modernize \$50,000,000  
3 teaching and science laboratories,  
4 libraries and general classrooms  
5 in the University of Maine System.

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

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

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

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

34 "Do you favor a \$50,000,000 bond issue to modernize and  
35 improve the teaching and science laboratories, libraries and  
36 general classrooms in the University of Maine System?"

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

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

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### SUMMARY

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10           The funds provided by this bond issue, in the amount of  
\$50,000,000, will be used to modernize and improve the teaching  
and science laboratories, libraries and general classrooms in the  
12 University of Maine System.