

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 753

S.P. 251

In Senate, February 10, 2005

**An Act To Authorize a General Fund Bond Issue for the Downeast
Institute for Applied Marine Research and Education**

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 RAYE of Washington.
Cosponsored by Senator DAMON of Hancock, Representative DUGAY of Cherryfield and
Senators: ANDREWS of York, DOW of Lincoln, Representatives: EMERY of Cutler,
KAELIN of Winterport, McFADDEN of Dennysville, PERCY of Phippsburg, PERRY of
Calais, RECTOR of Thomaston.

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
8 on behalf of the State of Maine to provide funds as described in
10 this Act,

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

14 **Sec. 1. Authorization of bonds.** The Treasurer of State is
16 authorized, under the direction of the Governor, to issue bonds
18 in the name and on behalf of the State in an amount not exceeding
20 \$1,000,000 for the purposes described in section 6 of this Act.
22 The bonds are a pledge of the full faith and credit of the
24 State. The bonds may not run for a period longer than 10 years
26 from the date of the original issue of the bonds. At the
28 discretion of the Treasurer of State, with the approval of the
30 Governor, any issuance of bonds may contain a call feature.

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

42 **Sec. 3. Sale; how negotiated; proceeds appropriated.** The
44 Treasurer of State may negotiate the sale of the bonds by
46 direction of the Governor, but no bond may be loaned, pledged or
48 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
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 this Act lapse to the debt service account
established for the retirement of these bonds.

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

42 **Sec. 5. Disbursement of bond proceeds.** The proceeds of the
44 bonds must be expended as set out in this Act under the direction
46 and supervision of the Downeast Institute for Applied Marine
48 Research and Education.

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

2 **DOWNEAST INSTITUTE FOR APPLIED**
3 **MARINE RESEARCH AND EDUCATION**

4 Provides funds to purchase the property \$1,000,000
5 known as Black Duck Cove on Great Wass
6 Island, which includes a 9,000-square-
7 foot building, a working wharf and 2
8 lobster pounds, to serve as the home of
9 the Downeast Institute for Applied Marine
10 Research and Education.

12 **Sec. 7. Contingent upon ratification of bond issue.** Sections 1 to
13 6 do not become effective unless the people of the State ratify
14 the issuance of the bonds as set forth in this Act.

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

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

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

40 "Do you favor an \$1,000,000 bond issue to purchase property
41 to serve as the home of the Downeast Institute for Applied
42 Marine Research and Education?"

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

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 this Act, the Governor shall proclaim the result without
delay, and this Act becomes effective 30 days after the date of
the proclamation.

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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 purposes of this referendum.

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SUMMARY

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14 The funds provided by this bond issue, in the amount of
\$1,000,000, will be used to purchase the property known as Black
16 Duck Cove on Great Wass Island, which includes a
9,000-square-foot building, a working wharf and 2 lobster pounds,
to serve as the home of the Downeast Institute for Applied Marine
18 Research and Education.