

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 335

S.P. 107

January 24, 2007

An Act To Authorize a General Fund Bond Issue for Research and Development To Stimulate Maine's Innovation Economy

Reported by Senator BROMLEY of Cumberland for the Joint Select Committee on Research, Economic Development and the Innovation Economy pursuant to S.P. 847.

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed under Joint Rule 218.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

1 **Preamble.** Two thirds of both Houses of the Legislature deeming it necessary in
2 accordance with the Constitution of Maine, Article IX, Section 14 to authorize the
3 issuance of bonds on behalf of the State of Maine to provide funds as described in this
4 Act,

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

6 **Sec. 1. Authorization of bonds.** The Treasurer of State is authorized, under the
7 direction of the Governor, to issue bonds in the name and on behalf of the State in an
8 amount not exceeding \$250,000,000 to raise funds for research and development
9 equipment and infrastructure as authorized by section 6. No more than \$50,000,000 may
10 be issued in the first year and no more than \$50,000,000 may be issued in each of the 4
11 subsequent years. The bonds are a pledge of the full faith and credit of the State. The
12 bonds may not run for a period longer than 20 years from the date of the original issue of
13 the bonds. At the discretion of the Treasurer of State, with the approval of the Governor,
14 any issuance of bonds may contain a call feature.

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

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

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

29 **Sec. 5. Disbursement of bond proceeds.** The proceeds of the bonds must be
30 expended as set out in this Act under the direction and supervision of the Department of
31 Economic and Community Development.

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

35 **ECONOMIC AND COMMUNITY**
36 **DEVELOPMENT, DEPARTMENT**
37 **OF - MAINE TECHNOLOGY**
38 **INSTITUTE**

39
40 Funds to the Maine Technology Institute \$250,000,000

1		
2	Provides for the use of bond proceeds to	
3	be used for capital infrastructure,	
4	equipment and activities as prioritized by	
5	the State's innovation economy action	
6	plan. The funds must be allocated	
7	through a competitive process to Maine-	
8	based public and private institutions and	
9	current and emerging targeted technology	
10	sector coalitions, pursuant to the Maine	
11	Revised Statutes, Title 5, section 15301,	
12	subsection 2, engaged in research and	
13	technology development and	
14	commercialization, and must be awarded	
15	to leverage matching funds on at least a	
16	one-to-one basis.	
17		
18	TOTAL ALLOCATIONS	\$250,000,000

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

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

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

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

39 "Do you favor a bond issue of up to \$50,000,000 for each of the next 5
40 years totaling up to \$250,000,000 for competitive grants administered by
41 the Maine Technology Institute to stimulate economic growth and job

1 creation through investments in research and development and
2 commercialization, in anticipation of an additional \$250,000,000 in
3 federal and private funding?"

4 The legal voters of each city, town and plantation shall vote by ballot on this question
5 and designate their choice by a cross or check mark placed within a corresponding square
6 below the word "Yes" or "No." The ballots must be received, sorted, counted and
7 declared in open ward, town and plantation meetings and returns made to the Secretary of
8 State in the same manner as votes for members of the Legislature. The Governor shall
9 review the returns. If a majority of the legal votes are cast in favor of this Act, the
10 Governor shall proclaim the result without delay and this Act becomes effective 30 days
11 after the date of the proclamation.

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

15 **SUMMARY**

16 This bill implements a recommendation of the Joint Select Committee on Research,
17 Economic Development and the Innovation Economy. The bill authorizes a bond issue of
18 up to \$50,000,000 per year for each of the next 5 years totaling up to \$250,000,000 to be
19 used for competitive grants to stimulate economic growth and job creation through
20 investments in research and development and commercialization.