

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 21, 2001

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
2001

UNIVERSITY OF SOUTHERN MAINE

To pay a portion of the construction of a community education facility and the renewal of a library/classroom. \$8,000,000

MAINE MARITIME ACADEMY

To pay a portion of the construction and renovation of dormitories, classrooms and laboratories. \$4,000,000

MAINE TECHNICAL COLLEGE SYSTEM

To renovate and equip classroom space at the Bath Higher Education Center. \$1,000,000

UNIVERSITY OF MAINE SYSTEM

To renovate and equip classroom space at the Western Maine University Center. \$1,800,000

MAINE TECHNICAL COLLEGE SYSTEM

To renovate and equip classroom space at the Katahdin Area K-Tech Center. \$200,000

UNIVERSITY OF MAINE SYSTEM

To renovate and equip classroom space at the Calais Center. \$100,000

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

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

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

Sec. 10. Referendum for ratification; submission at statewide election; form of question; effective date. This Act must be

submitted to the legal voters of the State of Maine at a statewide election held on the Tuesday following the first Monday of November following passage of this Act. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Act by voting on the following question:

"Do you favor a \$36,700,000 bond issue to make improvements to the State's public universities, the Maine Maritime Academy and other public learning centers?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns and, if a majority of the legal votes are cast in 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.

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.

Effective pending referendum.

CHAPTER 38

S.P. 450 - L.D. 1504

An Act to Authorize Department of Transportation Bond Issues in the Amount of \$61,000,000 to Match Available Federal Funds for Improvements to Highways and Bridges, Airports, Public Transit and Ferry Facilities; Development of Rail, Trail and Marine Infrastructure; and Improvements to Intermodal Facilities Statewide

Preamble. Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14 to authorize the issuance of bonds on behalf of the State of Maine to provide funds to match available federal funds for improvements to highways and bridges, airports and ferry facilities; development of rail, trail

and marine infrastructure; and improvements to intermodal facilities statewide.

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

Sec. 1. Authorization of bonds to provide for improvements to highways and bridges, airports, public transit and ferry facilities; development of rail, trail and marine infrastructure; and improvements to intermodal facilities statewide. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$61,000,000 to raise funds to match available federal funds for improvements to highways and bridges, airports, public transit and ferry facilities; development of rail, trail and marine infrastructure; and improvements to intermodal facilities statewide 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.

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

Sec. 3. Sale; how negotiated; proceeds appropriated. The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no bond may be loaned, pledged or 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 Comptroller, 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.

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

Sec. 5. Disbursement of bond proceeds. The proceeds of the bonds must be expended as set out in section 6 under the direction and supervision of the Commissioner of Transportation.

Sec. 6. Allocations from General Fund bond issue; improvements to highways and bridges, airports, public transit and ferry facilities; development of rail, trail and marine

infrastructure; and improvements to intermodal facilities statewide. The proceeds of the sale of the bonds must be expended as designated in the following schedule.

**TRANSPORTATION,
DEPARTMENT OF**

General Fund

Highway and Bridge Improvements	\$37,400,000
Airport Improvements	4,750,000
Rail Development	7,600,000
Ferry System Improvements	2,350,000
Transit Improvements	1,650,000
Intermodal Improvements	4,000,000
Marine Development	1,000,000
Small Harbor Development	1,500,000
Trail Development	750,000

General Fund Total \$61,000,000

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

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

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

Sec. 10. Referendum for ratification; submission at statewide election; form of question; effective date. This Act must be submitted to the legal voters of the State of Maine at a statewide election held on the Tuesday following the first Monday of November following passage of this Act. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the

acceptance or rejection of this Act by voting on the following question:

"Do you favor a \$61,000,000 bond issue for improvements to highways and bridges, airports, public transit and ferry facilities; development of rail, trail and marine infrastructure; and improvements to intermodal facilities statewide that makes the State eligible for up to \$120,800,000 in matching federal funds?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns and, if a majority of the legal votes are cast in 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.

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.

Effective pending referendum.

CHAPTER 39

S.P. 551 - L.D. 1709

An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 for Research and Development Equipment and Infrastructure

Preamble. Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14 to authorize the issuance of bonds on behalf of the State of Maine to provide funds for research and development equipment and infrastructure.

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

Sec. 1. Authorization of bonds to provide for research and development equipment and infrastructure. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$5,000,000 to raise funds for research and development equipment and infrastructure 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.

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

Sec. 3. Sale; how negotiated; proceeds appropriated. The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no bond may be loaned, pledged or 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 section 6 lapse to the debt service account established for the retirement of these bonds.

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

Sec. 5. Disbursement of bond proceeds. The proceeds of the bonds must be expended as set out in section 6 under the direction and supervision of the Department of Economic and Community Development.

Sec. 6. Allocations from General Fund bond issue; research and development equipment and infrastructure. The proceeds of the sale of the bonds must be expended as designated in the following schedule.

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF - MAINE TECHNOLOGY INSTITUTE

Maine Biomedical Research Fund - to support capital infrastructure and equipment. Eligible institutions are those delineated in the Maine Revised Statutes, Title 5, section 13103.	\$4,000,000
Maine Marine Research Fund - to support capital infrastructures and equipment that fosters marine research capacity and productivity	\$1,000,000