

# 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.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**2001**

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.

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**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

through competitive research. Eligible institutions include Maine's private nonprofit institutions, state governmental and quasi-governmental agencies and academic institutions, excluding the University of Maine System, engaged in marine research.

**TOTAL ALLOCATIONS** \$5,000,000

**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 \$5,000,000 bond issue for biomedical and marine research and development by Maine-based nonprofit and state research institutions?"

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.

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**CHAPTER 40**

**H.P. 799 - L.D. 1043**

**An Act to Increase Access to Higher Education**

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

**Sec. 1. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

2001-02

**EDUCATION, DEPARTMENT OF**

**Maine Scholarship Endowment**

All Other	\$1,500,000
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Provides funds as a grant to the Senator George J. Mitchell Scholarship Research Institute to benefit Maine residents attending institutions of higher education.

**Sec. 2. Transfer of funds.** Notwithstanding the Maine Revised Statutes, Title 33, section 1964, the administrator of the Abandoned Property Fund shall retain \$1,500,000 within the fund at the end of fiscal year 2000-01. On October 1, 2001, the administrator shall transfer \$1,500,000 to the General Fund.

**Sec. 3. State Controller; post-closing.** The State Controller is authorized to keep open the official system of general accounts of State Government for fiscal year 2000-01 in order to make post-closing entries and adjustments to carry out the provisions of this Act.

**Sec. 4. Retroactivity.** That section of this Act that requires the administrator of the Abandoned Property Fund to transfer funds from the Abandoned