

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

SECOND REGULAR SESSION
January 6, 2010 to April 12, 2010

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 12, 2010

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

Augusta, Maine
2010

The bond issue contained in the following statute

(P.L. 2009, ch. 645, Pt. A)

was approved in a referendum,

June 8, 2010

Question:

"Do you favor a \$47,800,000 bond issue to create jobs in Maine through improvements to highways, railroads and marine facilities, including port and harbor structures, and specifying the allocation of \$4,000,000 of the transportation bond approved by voters in November 2009 to be used for capital rail purposes?"

Yes: 183,978

No: 132,439

**The bond issue contained in the following statute
(P.L. 2009, ch. 645, Pt. C, amending P.L. 2009, ch. 414, Pt. D)
was approved in a referendum,**

June 8, 2010

Question:

" Do you favor a \$26,500,000 bond issue that will create jobs through investment in an off-shore wind energy demonstration site and related manufacturing to advance Maine's energy independence from imported foreign oil, that will leverage \$24,500,000 in federal and other funds and for energy improvements at campuses of the University of Maine System, Maine Community College System and Maine Maritime Academy in order to make facilities more efficient and less costly to operate?"

Yes: 187,947

No: 129,435

The bond issue contained in the following statute

(P.L. 2009, ch. 645, Pt. D)

was approved in a referendum,

November 2, 2010

Question:

"Do you favor a \$5,000,000 bond issue to be awarded on a competitive basis to increase access to dental care in Maine, \$3,500,000 to be used for a community-based teaching dental clinic affiliated with or operated by a college of dental medicine to be matched by \$3,500,000 in other funds, and \$1,500,000 to be used to create or upgrade community-based health and dental care clinics across the State to increase their capacity as teaching and dental clinics?"

Yes: 286,645

No: 270,705

**The bond issue contained in the following statute
(P.L. 2009, ch. 645, Pt. I, amending P.L. 2009, ch. 414, Pt. B)
was approved in a referendum,**

June 8, 2010

Question:

"Do you favor a \$23,750,000 bond issue to provide capital investment to stimulate economic development and job creation by making investments under the Communities for Maine's Future Program and in historic properties; providing funding for research and development investments awarded through a competitive process; providing funds for disbursements to qualifying small businesses; and providing grants for food processing for fishing, agricultural, dairy and lumbering businesses within the State and redevelopment projects at the Brunswick Naval Air Station that will make the State eligible for over \$39,000,000 in federal and other matching funds?"

Yes: 159,084

No: 155,224

**The bond issue contained in the following statute
(P.L. 2009, ch. 645, Pt. J, amending P.L. 2009, ch. 414, Pt. E)
was approved in a referendum,**

November 2, 2010

Question:

"Do you favor a \$9,750,000 bond issue to invest in land conservation and working waterfront preservation and to preserve state parks to be matched by \$9,250,000 in federal and other funds?"

Yes: 331,919

No: 227,182

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

CORRECTIONS, STATE BOARD OF

State Board of Corrections Investment Fund Z087

Initiative: Deappropriates funds based on an anticipated reduction in sentences for Class E crimes.

GENERAL FUND	2009-10	2010-11
All Other	\$0	(\$19,266)
GENERAL FUND TOTAL	\$0	(\$19,266)

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective April 12, 2010.

CHAPTER 645

H.P. 1313 - L.D. 1826

An Act To Authorize Bond Issues for Ratification by the Voters for the June 2010 Election and November 2010 Election

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 as described in this Act,

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation directs the transfer of funds prior to June 30, 2010; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

PART A

Sec. A-1. Authorization of bonds. 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

\$47,800,000 for the purposes described in section 6 of this Part. 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. A-2. Records of bonds issued kept by 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. A-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 Part. Any unencumbered balances remaining at the completion of the project in this Part lapse to the debt service account established for the retirement of these bonds.

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

Sec. A-5. Disbursement of bond proceeds. The proceeds of the bonds must be expended as set out in this Part under the direction and supervision of the Department of Transportation.

Sec. A-6. Allocations from General Fund bond issue. The proceeds of the sale of the bonds authorized under this Part must be expended as designated in the following schedule.

DEPARTMENT OF TRANSPORTATION

General Fund

Provides funds for state highway reconstruction and paving. \$24,800,000

Provides funds for railroads, including \$7,000,000 to purchase and preserve approximately 240 miles of railroad track in Aroostook County currently owned and operated by the Montreal, Maine and Atlantic Railway, which track upon acquisition by the State must be operated by a rail operator chosen through a competitive process, in consultation with shippers and other stakeholders of the track; \$5,000,000 to purchase a portion of \$16,000,000

rail line and to make other improvements related to improved freight rail service and preparation for future passenger rail service to Lewiston and Auburn; and \$4,000,000 for repairs and improvements of the portions of the Mountain Division Railroad owned by the State.

Provides funds for marine-related improvements, including \$6,500,000 for the Ocean Gateway deep water pier and \$500,000 for challenge grants from the Small Harbor Improvement Program. \$7,000,000

Sec. A-7. Allocation from approved bond issue. The \$4,000,000 of the General Fund bond issue authorized by Public Law 2009, chapter 414, Part A, section 6 allocated for railroad purposes and approved by the voters of the State at referendum in November 2009 is specifically allocated to capital rail purposes including the purchase and preservation of railroad tracks in Aroostook County and Penobscot County.

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

Sec. A-9. 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. A-10. 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 Part, 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. A-11. Referendum for ratification; submission at election; form of question; effective date. This Part must be submitted to the legal voters of the State at a statewide election held in the month of June 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 Part by voting on the following question:

"Do you favor a \$47,800,000 bond issue to create jobs in Maine through improvements to highways, railroads and marine facilities, including port

and harbor structures, and specifying the allocation of \$4,000,000 of the transportation bond approved by voters in November 2009 to be used for capital rail purposes?"

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. If a majority of the legal votes are cast in favor of this Part, the Governor shall proclaim the result without delay and this Part 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 Part necessary to carry out the purposes of this referendum.

PART B

Sec. B-1. Aroostook County rail task force. The Governor shall establish a task force to work with the Department of Transportation and other interested parties to ensure transparency in the abandonment and acquisition processes and to work on operating arrangements regarding the railroad track located in Aroostook County. The task force must include representatives of the public, private and non-profit sectors, and include members of the Legislature.

PART C

Sec. C-1. PL 2009, c. 414, Pt. D, §1 is amended to read:

Sec. D-1. Authorization of bonds. 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 ~~\$33,500,000~~ \$26,500,000 for the purposes described in section 6 of this Part. 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. C-2. PL 2009, c. 414, Pt. D, §5, as amended by PL 2009, c. 571, Pt. PP, §1, is further amended to read:

Sec. D-5. Disbursement of bond proceeds. The proceeds of the bonds must be expended as set out in this Part under the direction and supervision of ~~the Public Utilities Commission,~~ the University of Maine System, the Maine Maritime Academy and the Maine Community College System.

Sec. C-3. PL 2009, c. 414, Pt. D, §6, as amended by PL 2009, c. 571, Pt. PP, §2, is further amended to read:

Sec. D-6. Allocations from General Fund bond issue. The proceeds of the sale of the bonds authorized under this Part must be expended as designated in the following schedule.

~~PUBLIC UTILITIES COMMISSION~~

~~Public Utilities Commission~~

~~Provides funds for weatherization and energy efficiency programs for low and middle income households and small businesses. If the energy efficiency programs of the commission are transferred to another entity established by the Legislature, the commission shall transfer all unexpended funds to that entity.~~ \$12,000,000

UNIVERSITY OF MAINE SYSTEM

University of Maine System

Provides funds for energy and infrastructure upgrades at all campuses of the University of Maine System. \$9,500,000

MAINE COMMUNITY COLLEGE SYSTEM

Maine Community College System

Provides funds for energy and infrastructure upgrades at all campuses of the Maine Community College System. \$5,000,000

MAINE MARITIME ACADEMY

Maine Maritime Academy

Provides funds for energy and infrastructure upgrades at the Maine Maritime Academy. \$1,000,000

~~DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES~~

UNIVERSITY OF MAINE SYSTEM

Maine Marine Wind Energy Demonstration Site Fund

Provides funds for research, development and product innovation associated with developing one or more ocean wind energy demonstration sites. It also provides funding for robotics equipment to accelerate wind energy components manufacturing in the State. The funds will leverage \$24,500,000 in other funds. \$6,000,000
\$11,000,000

Sec. C-4. PL 2009, c. 414, Pt. D, §10 is amended to read:

Sec. D-10. Referendum for ratification; submission at election; form of question; effective date. This Part must be submitted to the legal voters of the State at a statewide election held in June 2010 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 Part by voting on the following question:

"Do you favor a \$33,500,000 bond issue to provide for investments in weatherization and energy efficiency projects; for infrastructure and energy efficiency upgrades at campuses of the University of Maine System, the Maine Community College System and the Maine Maritime Academy; and for the creation of a fund to develop one or more ocean wind energy demonstration sites?" "Do you favor a \$26,500,000 bond issue that will create jobs through investment in an off-shore wind energy demonstration site and related manufacturing to advance Maine's energy independence from imported foreign oil, that will leverage \$24,500,000 in federal and other funds and for energy improvements at campuses of the University of Maine System, Maine Community College System and Maine Maritime Academy in order to make facilities more efficient and less costly to operate?"

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. If a majority of the legal votes are cast in favor of this Part, the Governor shall proclaim the result without delay and this Part 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 Part necessary to carry out the purposes of this referendum.

PART D

Sec. D-1. Authorization of bonds. 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 for the purposes described in section 6 of this Part. 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. The bonds may not be issued before July 1, 2011.

Sec. D-2. Records of bonds issued kept by 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. D-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 Part. Any unencumbered balances remaining at the completion of the project in this Part lapse to the debt service account established for the retirement of these bonds.

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

Sec. D-5. Disbursement of bond proceeds. The proceeds of the bonds must be expended as set out in this Part under the direction and supervision of the Department of Health and Human Services.

Sec. D-6. Allocations from General Fund bond issue. The proceeds of the sale of the bonds authorized under this Part must be expended as designated in the following schedule.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Provides funds to be awarded on a competitive basis, \$3,500,000 to be used for a community-based teaching clinic affiliated with or operated by a college of dental medicine to be matched by \$3,500,000 in other funds, and \$1,500,000 to be used to upgrade community-based health and dental care clinics across the State to increase their capacity as teaching clinics. \$5,000,000

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

Sec. D-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. D-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 Part, 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. D-10. Referendum for ratification; submission at election; form of question; effective date. This Part must be submitted to the legal voters of the State at a statewide election held in the month 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 Part by voting on the following question:

"Do you favor a \$5,000,000 bond issue to be awarded on a competitive basis to increase access to dental care in Maine, \$3,500,000 to be used for a community-based teaching dental clinic affiliated with or operated by a college of dental medicine to be matched by \$3,500,000 in other funds, and \$1,500,000 to be used to create or upgrade community-based health and dental care clinics across the State to increase their capacity as teaching and dental clinics?"

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. If a majority of the legal votes are cast in favor of this Part, the Governor shall proclaim the result without delay and this Part 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 Part necessary to carry out the purposes of this referendum.

PART E

Sec. E-1. 22 MRSA §2127, sub-§6-A is enacted to read:

6-A. Monitoring of grants. The program director or chief executive officer under subsection 2, paragraph C, subparagraph (3) shall monitor contracts resulting from grant awards established by the department concerning community-based dental clinics affiliated with or operated by a school of dentistry.

PART F

Sec. F-1. Oral Health Advisory Committee. The Department of Health and Human Services shall establish the Oral Health Advisory Committee, referred to in this Part as "the committee," to award a \$3,500,000 grant to create a teaching dental clinic pursuant to subsections 3 and 4 and to award \$1,500,000 in grants pursuant to subsection 5, subject to the passage of the referendum set out in Part D.

1. Membership. The program director or chief executive officer of the oral health program within the Department of Health and Human Services, Maine Center for Disease Control and Prevention under the Maine Revised Statutes, Title 22, section 2127 is designated the chair of the committee and shall appoint the following 6 members:

- A. A representative of a group representing individuals licensed to practice dentistry in this State;
- B. A representative of a statewide organization representing low-income individuals;
- C. A representative of an organization representing community-based health care clinics;
- D. An individual representing community-based dental clinics;
- E. A representative of a foundation based in this State committed to improving the health of citi-

zens in this State who has experience funding direct service for dental care; and

F. An individual representing Maine veterans of the United States Armed Forces or the Maine National Guard who has experience with dental care.

2. Appointments. The committee must be appointed and convene within 30 days of the passage of the referendum set out in Part D.

3. Duties. The committee shall create an application for the grant for a teaching dental clinic for interested parties within 60 days of the passage of the referendum in Part D. The committee shall hold a bidders conference within 7 days following issuance of the applications, after which an applicant has 18 days to complete and submit the application. The committee shall award the grant before March 1, 2011.

4. Grant criteria. The committee shall use the following criteria in awarding the grant.

A. The recipient must:

- (1) Be a postsecondary institution with its primary campus located in the State;
- (2) Be accredited by a regional accrediting agency approved by the United States Department of Education;
- (3) Have a board of trustees that has previously approved a degree program that grants a doctorate of dental medicine or a doctorate of dental surgery;
- (4) Have educational programs for health professions that are academically and clinically based; and
- (5) Offer a degree in public health.

B. The recipient must demonstrate financial capacity to start and sustain an accredited program in dental medicine that supports long-term access to dental care in the State.

C. The recipient must demonstrate an ability to match state funding on a one-to-one basis.

5. Distribution of balance of bond. Following the award of the grant under subsections 3 and 4, the recipient shall identify 2 members of its organization to join the committee to establish an application process for the \$1,500,000 in clinic grants under Part D. A recipient of a grant under this subsection must:

- A. Be from an underserved community that has a demonstrated need for dental care;
- B. Be a qualified health care provider, including, but not limited to, federally qualified health care centers, veterans' health care facilities, health care facilities established by the United States Department of Defense serving active duty military per-

sonnel, Maine-based nonprofit health care centers and municipally supported health care clinics; and

C. Demonstrate a capacity to accommodate dental students.

6. Completion date. The grants under subsection 5 must be awarded by December 1, 2011, and following disbursement of these grants the committee terminates.

PART G

Sec. G-1. Contingent effective date. That Part of this Act that enacts the Maine Revised Statutes, Title 22, section 2127, subsection 6-A and that Part of this Act that directs the Department of Health and Human Services to establish the Oral Health Advisory Committee take effect only if the General Fund bond issue proposed in Part D is approved by the voters of the State.

PART H

Sec. H-1. PL 2009, c. 213, Pt. DD, §§2 to 5 are repealed.

Sec. H-2. PL 2009, c. 213, Pt. MMM, §2, as amended by PL 2009, c. 571, Pt. UUU, §1, is further amended to read:

Sec. MMM-2. Transfer; Maine Budget Stabilization Fund. Notwithstanding the Maine Revised Statutes, Title 5, section 1536 or any other provision of law, ~~\$8,279,283~~ \$5,597,244 of the balance in General Fund unappropriated surplus on June 30, 2010 and \$2,488,702 of the balance in General Fund unappropriated surplus on June 30, 2011 must be transferred to the Maine Budget Stabilization Fund no later than June 30, 2011 after all budgeted financial commitments and adjustments considered necessary by the State Controller have been made.

Sec. H-3. PL 2009, c. 571, Pt. CCC, §1 is amended to read:

Sec. CCC-1. Transfer from Other Special Revenue Funds to unappropriated surplus of the General Fund. Notwithstanding any other provision of law, the State Controller shall transfer ~~\$68,200,000~~ \$63,000,000 on June 30, 2010 from Other Special Revenue Funds to the unappropriated surplus of the General Fund. On July 1, 2010, the State Controller shall transfer ~~\$68,200,000~~ \$63,000,000 from the General Fund unappropriated surplus to Other Special Revenue Funds as repayment. This transfer is considered an interfund advance.

Sec. H-4. Transfer from short-term emergency contingency account. The State Controller shall transfer \$5,427,961 from the short-term emergency contingency account established pursuant to Public Law 2009, chapter 571, Part KK to the General Fund unappropriated surplus no later than June 30, 2010.

Sec. H-5. Transfer from unappropriated surplus at close of fiscal year 2009-10 to the Department of Transportation, Railroad Assistance Program, General Fund account.

Notwithstanding any other provision of law, at the close of fiscal year 2009-10, the State Controller shall transfer up to \$7,000,000 from the unappropriated surplus of the General Fund to the Department of Transportation, Railroad Assistance Program, General Fund account after all required deductions of appropriations, budgeted financial commitments and adjustments considered necessary by the State Controller have been made and as the first priority after the transfers required pursuant to the Maine Revised Statutes, Title 5, sections 1507 and 1511 and before the transfer required pursuant to Title 5, section 1536.

Sec. H-6. Transfers considered adjustment to appropriations. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, amounts transferred pursuant to this Part are considered adjustments to appropriations in fiscal year 2010-11. These funds may be allotted by financial order upon recommendation of the State Budget Officer and approval of the Governor.

Sec. H-7. Appropriations and allocations. The following appropriations and allocations are made.

**TRANSPORTATION, DEPARTMENT OF
Railroad Assistance Program 0350**

Initiative: Appropriates funds for the acquisition of track in Aroostook County currently owned and operated by the Montreal, Maine and Atlantic Railway. These funds may not lapse, but must be carried forward to carry out the intent of this appropriation.

GENERAL FUND	2009-10	2010-11
Capital Expenditures	\$0	\$7,000,000
GENERAL FUND TOTAL	\$0	\$7,000,000

TRANSPORTATION, DEPARTMENT OF DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$0	\$7,000,000
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$7,000,000

**TREASURER OF STATE, OFFICE OF
Debt Service - Treasury 0021**

Initiative: Provides funding for debt service in fiscal year 2010-11 to accommodate an additional \$44,300,000 bond authorization.

GENERAL FUND	2009-10	2010-11
All Other	\$0	\$1,110,000
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$0	\$1,110,000

**TREASURER OF STATE,
OFFICE OF**

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$0	\$1,110,000
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$1,110,000

SECTION TOTALS	2009-10	2010-11
GENERAL FUND	\$0	\$8,110,000
	<hr/>	<hr/>
SECTION TOTAL - ALL FUNDS	\$0	\$8,110,000

PART I

Sec. I-1. PL 2009, c. 414, Pt. B, §1 is amended to read:

Sec. B-1. Authorization of bonds. 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 ~~\$25,000,000~~ \$23,750,000 for the purposes described in section 6 of this Part. 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. I-2. PL 2009, c. 414, Pt. B, §6 is amended to read:

Sec. B-6. Allocations from General Fund bond issue. The proceeds of the sale of the bonds authorized under this Part must be expended as designated in the following schedule.

MAINE HISTORIC PRESERVATION COMMISSION

Establishes a revolving fund for the purpose of acquiring significant historic properties.	\$1,500,000	<u>\$1,250,000</u>
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DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

Provides funds to make investments under the Communities for Maine's Future Program in competitive community and economic revitalization projects, which must be matched with at least \$3,500,000. \$3,500,000

Maine Technology Institute

Provides funds for research and development and commercialization as prioritized by the Office of Innovation's current Science and Technology Action Plan for Maine. The funds must be allocated to environmental and renewable energy technology, biomedical ~~and~~ and biotechnology, aquaculture and marine technology, composite materials technology, advanced technologies for forestry and agriculture, information technology and precision manufacturing technology through a competitive process and must be awarded to Maine-based public and private institutions and must be awarded to leverage matching funds of at least \$3,000,000. \$3,000,000

Brunswick Naval Air Station Redevelopment

Provides for redevelopment projects at the Brunswick Naval Air Station, including the rehabilitation of buildings, federal Americans with Disabilities Act and fire code compliance and other site improvements, including up to \$4,750,000 for the development of a higher education engineering and economic development center. These funds will leverage \$32,500,000 in federal funds. \$8,000,000

FINANCE AUTHORITY OF MAINE

Provides grants for food processing for fishing, agricultural, dairy and lumbering industries within the State. \$1,000,000

Economic Recovery Loan Program \$3,000,000

Small Enterprise Growth Fund

Provides funds for disbursements to qualifying small businesses in the State seeking to pursue eligible projects. ~~\$5,000,000~~
\$4,000,000

Sec. I-3. PL 2009, c. 414, Pt. B, §10 is amended to read:

Sec. B-10. Referendum for ratification; submission at election; form of question; effective date. This Part must be submitted to the legal voters of the State at a statewide election held in June 2010 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 Part by voting on the following question:

"Do you favor a ~~\$25,000,000~~ \$23,750,000 bond issue to provide capital investment to stimulate economic development and job creation by making investments under the Communities for Maine's Future Program and in historic properties; providing funding for research and development investments awarded through a competitive process; providing funds for disbursements to qualifying small businesses; and providing grants for food processing for fishing, agricultural, dairy and lumbering businesses within the State and redevelopment projects at the Brunswick Naval Air Station that will make the State eligible for over \$39,000,000 in federal and other matching 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. If a majority of the legal votes are cast in favor of this Part, the Governor shall proclaim the result without delay and this Part 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 Part necessary to carry out the purposes of this referendum.

PART J

Sec. J-1. PL 2009, c. 414, Pt. E, §1 is amended to read:

Sec. E-1. Authorization of bonds. 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 ~~\$10,000,000~~ \$9,750,000 for the purposes described in section 6 of this Part. 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. J-2. PL 2009, c. 414, Pt. E, §5, sub-§5 is amended to read:

5. Of the bond proceeds allocated to the Land for Maine's Future Board, ~~\$2,000,000~~ \$1,750,000 must be made available to protect working waterfront properties in accordance with Public Law 2005, chapter 462, Part B, section 6.

Sec. J-3. PL 2009, c. 414, Pt. E, §6 is amended to read:

Sec. E-6. Allocations from General Fund bond issue. The proceeds of the sale of the bonds authorized under this Part must be expended as designated in the following schedule.

EXECUTIVE DEPARTMENT

State Planning Office

Land for Maine's Future Board

Provides funds in order to leverage \$6,500,000 in other funds to be used for the acquisition of land and interest in land for conservation; water access, wildlife and fish habitat; outdoor recreation, including hunting and fishing; and farmland preservation.	\$6,500,000
Provides funds to be used for working farmland preservation in order to leverage \$1,000,000 in other funds.	\$1,000,000
Provides funds to be used for working waterfront preservation in order to leverage \$2,000,000 <u>\$1,750,000</u> in other funds.	\$2,000,000 <u>\$1,750,000</u>

DEPARTMENT OF CONSERVATION

Bureau of Parks and Lands

Provides funds to preserve state parks and properties managed by the Department of Conservation.	\$500,000
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Sec. J-4. PL 2009, c. 414, Pt. E, §10 is amended to read:

Sec. E-10. Referendum for ratification; submission at election; form of question; effective date. This Part must be submitted to the legal voters of the State at a statewide election held in November 2010 following passage of this Act. The mu-

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 Part by voting on the following question:

"Do you favor a ~~\$10,000,000~~ \$9,750,000 bond issue to invest in land conservation and working waterfront preservation and to preserve state parks to be matched by ~~\$9,500,000~~ \$9,250,000 in federal and other 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. If a majority of the legal votes are cast in favor of this Part, the Governor shall proclaim the result without delay and this Part 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 Part necessary to carry out the purposes of this referendum.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective April 12, 2010, unless otherwise indicated.

CHAPTER 646
S.P. 704 - L.D. 1799

An Act To Encourage the Use of Models in the Collection and Use of Student Achievement Data

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

Sec. 1. 20-A MRSA §6204, sub-§3, as enacted by PL 1983, c. 859, Pt. D, §§3 and 4, is repealed.

Sec. 2. 20-A MRSA §13802, as enacted by PL 1985, c. 173, is amended to read:

§13802. Teacher and principal evaluation models

1. Department to establish models. The department shall establish models for evaluation of the professional performance of teachers and principals employed in ~~any~~ a school administrative unit within

the State. The models must include multiple measures.

2. Use of models. Each school administrative unit within the State ~~shall have the option to~~ may select and incorporate one or more of the models developed pursuant to subsection 1 for the evaluation of the professional performance of ~~any~~ a teacher or principal employed by that school administrative unit. If a school administrative unit wants to include student assessments as part of teacher evaluations, that school administrative unit must use one of the models developed pursuant to subsection 1.

Sec. 3. Review of models. The Commissioner of Education shall convene a stakeholder group to review the models developed pursuant to the Maine Revised Statutes, Title 20-A, section 13802 for the evaluation of the professional performance of teachers and principals who are employed by a school administrative unit within the State. The Commissioner of Education, or the commissioner's designee, shall serve as a member of the stakeholder group. The commissioner shall invite representatives of the following educational associations that are appointed by their respective associations to serve as members of the stakeholder group:

1. The Maine Education Association;
2. The Maine Principals' Association;
3. The Maine School Boards Association;
4. The Maine School Superintendents Association; and
5. The Maine Administrators of Services for Children with Disabilities.

The stakeholder group shall review the models developed by the Department of Education for the evaluation of the professional performance of teachers and principals and shall approve models no later than July 1, 2011. The Department of Education may not finally adopt a model that is not approved by the stakeholder group pursuant to this section.

See title page for effective date.

CHAPTER 647
S.P. 705 - L.D. 1800

An Act To Adopt the Common Core State Standards Initiative

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, national education reform includes the so-called "Common Core State Standards Initiative"