

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)

M
R.S.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

Date: 4/3/07

(Filing No. S- 26)

APPROPRIATIONS AND FINANCIAL AFFAIRS

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE
SENATE
123RD LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 640, L.D. 1796, Bill, "An Act To Authorize Bond Issues for Ratification by the Voters for the June and November 2007 Elections"

Amend the bill by striking out the title and substituting the following:

'An Act To Authorize Bond Issues for Ratification by the Voters for the June and November 2007 Elections and the June 2008 Election and To Transfer Certain Funds'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

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 requires the transfer of funds to be used for expenses associated with the special election in June; 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:

COMMITTEE AMENDMENT

R. of S.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41

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 \$112,975,000 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 Highway Fund and 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**

Highway Fund

Highway and Bridge Improvements \$100,000,000

General Fund

Ferry and Port Improvements \$1,775,000

Airports \$3,200,000

2015

COMMITTEE AMENDMENT "A" to S.P. 640, L.D. 1796

1		
2	Transit and Bus Improvements	\$3,650,000
3		
4	Pedestrian and Bicycle Trails	\$500,000
5		
6	Passenger and Freight Rail Improvements	\$3,850,000

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

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

14 **Sec. A-9. Bonds authorized but not issued.** Any bonds authorized but not
15 issued, or for which bond anticipation notes are not issued within 5 years of ratification of
16 this Part, are deauthorized and may not be issued, except that the Legislature may, within
17 2 years after the expiration of that 5-year period, extend the period for issuing any
18 remaining unissued bonds or bond anticipation notes for an additional amount of time not
19 to exceed 5 years.

20 **Sec. A-10. Referendum for ratification; submission at election; form of**
21 **question; effective date.** This Part must be submitted to the legal voters of the State at
22 a statewide election held in the month of June following the passage of this Act. The
23 municipal officers of this State shall notify the inhabitants of their respective cities, towns
24 and plantations to meet, in the manner prescribed by law for holding a statewide election,
25 to vote on the acceptance or rejection of this Part by voting on the following question:

26 "Do you favor a \$112,975,000 bond issue for improvements to highways
27 and bridges, airports, public transit facilities, ferry and port facilities
28 including port and harbor structures and bicycle and pedestrian trails that
29 makes the State eligible for over \$260,525,000 in federal and other
30 matching funds?"

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

39 The Secretary of State shall prepare and furnish to each city, town and plantation all
40 ballots, returns and copies of this Part necessary to carry out the purposes of this
41 referendum.

COMMITTEE AMENDMENT

H. 015.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

PART B

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 \$18,300,000 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. B-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. B-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. B-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. B-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 and the Department of Environmental Protection.

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.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Provides funds for a drinking water revolving loan fund in the department to be matched by \$17,000,000 in other funds. \$3,400,000

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Provides funds for a wastewater treatment facility state revolving loan fund to be matched by \$14,500,000 in other funds. \$2,900,000

RMS

1
2 Provides funds for wastewater treatment \$12,000,000
3 facility construction grants to be matched
4 by \$18,000,000 in other funds.

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

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

12 **Sec. B-9. Bonds authorized but not issued.** Any bonds authorized but not
13 issued, or for which bond anticipation notes are not issued within 5 years of ratification of
14 this Part, are deauthorized and may not be issued, except that the Legislature may, within
15 2 years after the expiration of that 5-year period, extend the period for issuing any
16 remaining unissued bonds or bond anticipation notes for an additional amount of time not
17 to exceed 5 years.

18 **Sec. B-10. Referendum for ratification; submission at election; form of**
19 **question; effective date.** This Part must be submitted to the legal voters of the State at
20 a statewide election held in the month of June following the passage of this Act. The
21 municipal officers of this State shall notify the inhabitants of their respective cities, towns
22 and plantations to meet, in the manner prescribed by law for holding a statewide election,
23 to vote on the acceptance or rejection of this Part by voting on the following question:

24 "Do you favor an \$18,300,000 bond issue to support drinking water
25 programs and to support the construction of wastewater treatment
26 facilities that will leverage \$49,500,000 in other funds?"

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

35 The Secretary of State shall prepare and furnish to each city, town and plantation all
36 ballots, returns and copies of this Part necessary to carry out the purposes of this
37 referendum.

R. 01/18

1

PART C

2

Sec. C-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 \$43,500,000 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.

9

Sec. C-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.

10

11

12

13

Sec. C-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.

14

15

16

17

18

19

20

Sec. C-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.

21

22

23

Sec. C-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 University of Maine System, the Maine Maritime Academy, the Maine Community College System, the Department of Education and the Maine State Cultural Affairs Council.

24

25

26

27

Sec. C-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.

28

29

30

31

UNIVERSITY OF MAINE SYSTEM

32

33

Provides funds for interior and exterior building renovations, improvements and additions at all campuses of the University of Maine System. \$23,000,000

34

35

36

37

38

MAINE MARITIME ACADEMY

39

40

Provides funds for interior and exterior building renovations, improvements and additions at the Maine Maritime Academy campus. \$1,500,000

41

42

43

P. 108

COMMITTEE AMENDMENT "A" to S.P. 640, L.D. 1796

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

28
29
30

31
32
33
34

35
36
37
38
39
40

41
42
43

MAINE COMMUNITY COLLEGE SYSTEM

Provides funds for interior and exterior building renovations, improvements and additions at all campuses of the Maine Community College System. \$15,500,000

DEPARTMENT OF EDUCATION

School Revolving Renovation Fund

Provides funds for grants and loans to school administrative units for school repairs and renovations. \$1,500,000

MAINE STATE CULTURAL AFFAIRS COUNCIL

New Century Community Program

Provides funds to revitalize downtown areas, preserve and strengthen state and community historic and cultural assets and expand access to digital and educational resources. \$2,000,000

Sec. C-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. C-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. C-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. C-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 the passage of this Act.

COMMITTEE AMENDMENT

1 The municipal officers of this State shall notify the inhabitants of their respective cities,
2 towns and plantations to meet, in the manner prescribed by law for holding a statewide
3 election, to vote on the acceptance or rejection of this Part by voting on the following
4 question:

5 "Do you favor a \$43,500,000 bond issue for interior and exterior building
6 renovations, improvements and additions at all campuses of the Maine
7 Community College System, the Maine Maritime Academy and the
8 University of Maine System; to replenish the School Revolving
9 Renovation Fund for school repairs and renovations; and to support
10 capital improvements for cultural and educational assets such as
11 museums, historical facilities and libraries?"

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

20 The Secretary of State shall prepare and furnish to each city, town and plantation all
21 ballots, returns and copies of this Part necessary to carry out the purposes of this
22 referendum.

23 **PART D**

24 **Sec. D-1. Authorization of bonds.** The Treasurer of State is authorized, under
25 the direction of the Governor, to issue bonds in the name and on behalf of the State in an
26 amount not exceeding \$55,000,000 for the purposes described in section 6 of this Part.
27 The bonds are a pledge of the full faith and credit of the State. The bonds may not run for
28 a period longer than 10 years from the date of the original issue of the bonds. At the
29 discretion of the Treasurer of State, with the approval of the Governor, any issuance of
30 bonds may contain a call feature.

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

35 **Sec. D-3. Sale; how negotiated; proceeds appropriated.** The Treasurer of
36 State may negotiate the sale of the bonds by direction of the Governor, but no bond may
37 be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the
38 bonds, which must be held by the Treasurer of State and paid by the Treasurer of State
39 upon warrants drawn by the State Controller, are appropriated solely for the purposes set
40 forth in this Part. Any unencumbered balances remaining at the completion of the project
41 in this Part lapse to the debt service account established for the retirement of these bonds.

1.038

1
2 Maine Rural Development Authority \$1,500,000

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

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

10 **Sec. D-9. Bonds authorized but not issued.** Any bonds authorized but not
11 issued, or for which bond anticipation notes are not issued within 5 years of ratification of
12 this Part, are deauthorized and may not be issued, except that the Legislature may, within
13 2 years after the expiration of that 5-year period, extend the period for issuing any
14 remaining unissued bonds or bond anticipation notes for an additional amount of time not
15 to exceed 5 years.

16 **Sec. D-10. Referendum for ratification; submission at election; form of**
17 **question; effective date.** This Part must be submitted to the legal voters of the State at
18 a statewide election held in the month of November following the passage of this Act.
19 The municipal officers of this State shall notify the inhabitants of their respective cities,
20 towns and plantations to meet, in the manner prescribed by law for holding a statewide
21 election, to vote on the acceptance or rejection of this Part by voting on the following
22 question:

23 "Do you favor a bond issue to stimulate economic development and job
24 creation that would provide \$5,000,000 in loans and grant funds and
25 would provide \$50,000,000 in research, development and
26 commercialization funds for targeted technology sectors, awarded after a
27 competitive process administered by the Maine Technology Institute, and
28 will leverage at least \$50,000,000 in other funds?"

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

37 The Secretary of State shall prepare and furnish to each city, town and plantation all
38 ballots, returns and copies of this Part necessary to carry out the purposes of this
39 referendum.

PART E

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

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 \$35,500,000 for the purposes described in section 5 of this Part and to access at least \$21,875,000 in matching contributions from public and private sources. 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. E-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. E-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. E-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. E-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 Executive Department, Land for Maine's Future Board, the Department of Agriculture, Food and Rural Resources, the Department of Conservation and the Department of Economic and Community Development. The proceeds of the bonds to be administered by the Land for Maine's Future Board must be expended for acquisition of land and interest in land for conservation, water access, outdoor recreation, wildlife and fish habitat, farmland preservation in accordance with the provisions for such acquisitions under the Maine Revised Statutes, Title 5, chapter 353 and working waterfront preservation in accordance with the terms of this Part, including all costs associated with such acquisitions, except that use of the proceeds of these bonds is subject to the following conditions and requirements.

1. Hunting, fishing, trapping and public access may not be prohibited on land acquired with bond proceeds, except to the extent of applicable state, local or federal laws and regulations and except for working waterfront projects and farmland protection projects.

2. Payment from bond proceeds for acquisitions of local or regional significance, as determined by the Land for Maine's Future Board, may be made directly to cooperating entities as defined in Title 5, section 6201, subsection 2 for acquisition of land and interest in land by cooperating entities, subject to terms and conditions enforceable by the

1 State to ensure its use for the purposes of this Part. In addition to the considerations
2 required under Title 5, chapter 353, the board shall give a preference to acquisitions under
3 this subsection that achieve benefits for multiple towns and that address regional
4 conservation needs including public recreational access, wildlife, open space and
5 farmland.

6 3. The bond funds expended for conservation, recreation, farmland and water access
7 must be matched with at least \$8,500,000 in public and private contributions. Seventy
8 percent of that amount must be in the form of cash or other tangible assets, including the
9 value of land and real property interest acquired by or contributed to cooperating entities
10 when property interests have a direct relationship to the property proposed for protection,
11 as determined by the Land for Maine's Future Board. The remaining 30% may be
12 matching contributions and may include the value of project-related, in-kind
13 contributions of goods and services to and by cooperating entities as defined in Title 5,
14 section 6201, subsection 2.

15 4. Of the bond proceeds allocated to the Land for Maine's Future Board, \$1,700,000
16 must be made available to acquire public access to water in accordance with Title 5,
17 section 6203-A.

18 5. Of the bond proceeds allocated to the Land for Maine's Future Board, \$1,700,000
19 must be made available to protect farmland in accordance with Title 5, section 6207.

20 6. Of the bond proceeds allocated to the Land for Maine's Future Board, \$3,000,000
21 must be made available to protect working waterfront properties in accordance with
22 Public Law 2005, chapter 462, Part B, section 6.

23 7. To the extent the purposes are consistent with the disbursement provisions in this
24 Part, 100% of the bond proceeds may be considered as state match for any federal
25 funding to be made available to the State.

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

29
30 **DEPARTMENT OF AGRICULTURE,
31 FOOD AND RURAL RESOURCES**

32
33 **Agricultural water source development
34 grant program**

35
36 Provides funds to assist farmers in the \$1,500,000
37 development of environmentally sound
38 water sources to manage weather-related
39 risk and to comply with in-stream flow
40 rules that will leverage \$375,000 in other
41 funds.

42
43 **DEPARTMENT OF
44 CONSERVATION**

1		
2	Bureau of Parks and Lands	
3		
4	Provides funds to make necessary capital	\$7,500,000
5	improvements in the State's parks and	
6	historic sites.	
7		
8	DEPARTMENT OF ECONOMIC	
9	AND COMMUNITY	
10	DEVELOPMENT	
11		
12	Provides funds to make investments,	\$5,000,000
13	under the Riverfront Community	
14	Development Program established in the	
15	Maine Revised Statutes, Title 5, section	
16	13083-T, in competitive river-based	
17	community and economic revitalization	
18	projects, which must be matched with at	
19	least \$10,000,000.	
20		
21	Provides funds so that an eligible	\$1,500,000
22	municipality or group of municipalities	
23	may apply for a public service	
24	infrastructure grant or loan from the	
25	Municipal Investment Trust Fund.	
26		
27	EXECUTIVE DEPARTMENT	
28		
29	State Planning Office	
30		
31	Land for Maine's Future Board	
32		
33	Provides funds in order to leverage	\$17,000,000
34	\$8,500,000 in other funds to be used for	
35	the acquisition of land and interest in land	
36	for conservation; water access, which	
37	must receive \$1,700,000; outdoor	
38	recreation; wildlife and fish habitat; and	
39	farmland preservation, which must	
40	receive \$1,700,000.	
41		
42	Provides funds to be used for working	\$3,000,000
43	waterfront preservation in order to	
44	leverage \$3,000,000 in other funds.	

0.000

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38

RIVERFRONT COMMUNITY DEVELOPMENT PROGRAM

§13083-T. Riverfront Community Development Program

1. Program established; administration. The Riverfront Community Development Program, referred to in this section as "the program," is established within the department to assist and encourage communities along the State's rivers to revitalize their riverfronts in an environmentally sustainable manner and to promote river-oriented community development and enhancement projects. The department shall administer the program in conjunction with the Municipal Investment Trust Fund established under the Maine Municipal Bond Bank to provide funding for the rehabilitation, revitalization and enhancement of riverfront communities and river ecosystems in the State.

2. Review panel. The Riverfront Community Development Review Panel, referred to in this section as "the panel," is established to evaluate proposals and determine funding under the program. The panel consists of:

- A. The Commissioner of Economic and Community Development;
- B. The Commissioner of Conservation;
- C. The Director of the State Planning Office within the Executive Department; and
- D. Four members of the public, one with expertise in economic and community development, one with expertise in environmental conservation, one with expertise in tourism and ecotourism development and promotion and one with expertise in park and trail design and development. Two of these members are appointed by the President of the Senate and 2 by the Speaker of the House.

3. Review process. The panel shall review proposals for funding under the program in accordance with this subsection.

- A. The panel shall establish the deadline by which proposals must be postmarked and received.
- B. Department staff shall undertake the initial review and preliminary scoring of proposals.
- C. A subcommittee appointed by the panel to score proposals shall review and determine the final score for the proposals.
- D. A subcommittee appointed by the panel to nominate finalists shall review all of the proposals, identify issues for full review and discussion by the panel and recommend project finalists to the full panel for detailed review and consideration.
- E. The panel shall review all the proposals submitted, select the finalists and allocate funding.

In reviewing proposals, the panel shall use the scoring system established in subsection 5.

- 4. Applicant requirements.** An applicant for funding under this section must:
- A. Have the sponsorship of a state agency. An applicant must contact the appropriate sponsoring state agency well in advance of submitting an application; and

1 B. Demonstrate the capacity to undertake the project with a reasonable prospect of
2 bringing it to a successful conclusion. In assessing an applicant's ability to meet the
3 requirements of this paragraph, the panel may consider all relevant factors, including
4 but not limited to the applicant's level of debt; fund-raising ability; past economic and
5 community development activities; grants from federal, state or local sources;
6 previous environmental conservation, restoration or enhancement activity;
7 organizational history; scope of economic or environmental vision; and evidence of
8 success in previous efforts.

9 **5. Scoring system.** The department and the panel shall develop a scoring system for
10 use by the panel in evaluating proposals under this section. The scoring system must be
11 designed to identify those projects that are most aligned with the State's riverfront
12 community development and river restoration and enhancement priorities. The scoring
13 system must assign points according to the relative value or the following criteria
14 associated with the proposal:

15 A. The economic significance of the proposed project to the immediate vicinity and
16 to the State as a whole;

17 B. The level of compatibility with clean and healthy river ecosystems;

18 C. The value of the proposed project with respect to downtown revitalization;

19 D. The value of the proposed project with respect to environmental protection and
20 ecological restoration;

21 E. The value of the proposed project with respect to recreational uses;

22 F. The degree of community support for the proposed investment; and

23 G. The extent to which the proposed project involves partnerships and meets
24 multiple criteria for benefits.

25 **6. Additional criteria.** In addition to evaluating the proposals using the scoring
26 system established in subsection 5, the panel shall consider the following criteria in
27 reviewing a proposal:

28 A. The level to which a proposal supports the open space or recreation objectives, or
29 both, of a local comprehensive plan;

30 B. The extent to which a project is consistent with an adopted comprehensive plan
31 that meets the standards of the laws governing growth management pursuant to Title
32 30-A, chapter 187;

33 C. The current and anticipated demand for use and diversity of uses of the site;

34 D. The local and regional community planning and support for river protection,
35 enhancement and restoration; and

36 E. Any additional benefits that contribute to scenic landscape values, including the
37 character of the town or region in which the project is situated, the rehabilitation or
38 renovation of riverfront mill and other buildings and the ability to secure public
39 access for conservation, recreation, wildlife and education uses.

1 7. Rules. The department may adopt rules to implement this section. Rules adopted
2 to implement this section are routine technical rules as defined in Title 5, chapter 375,
3 subchapter 2-A.

4 **Sec. F-2. Contingent effective date.** This Part takes effect only if the General
5 Fund bond issue proposed in Part E is approved by the voters of this State.

6 **PART G**

7 **Sec. G-1. Authorization of bonds.** The Treasurer of State is authorized, under
8 the direction of the Governor, to issue bonds in the name and on behalf of the State in an
9 amount not exceeding \$29,725,000 for the purposes described in section 6 of this Part.
10 The bonds are a pledge of the full faith and credit of the State. The bonds may not run for
11 a period longer than 10 years from the date of the original issue of the bonds. At the
12 discretion of the Treasurer of State, with the approval of the Governor, any issuance of
13 bonds may contain a call feature.

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

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

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

28 **Sec. G-5. Disbursement of bond proceeds.** The proceeds of the bonds must be
29 expended as set out in this Part under the direction and supervision of the Department of
30 Environmental Protection, the Department of Inland Fisheries and Wildlife and the
31 Department of Transportation.

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

35
36 **DEPARTMENT OF INLAND**
37 **FISHERIES AND WILDLIFE**

38
39 **Dam repair**

1		
2	Provides funds for major rehabilitation of	\$300,000
3	dams.	
4		
5	Hatchery rehabilitation	
6		
7	Provides funds for upgrades to fish	\$2,000,000
8	hatcheries to meet water quality	
9	requirements.	
10		
11	DEPARTMENT OF	
12	ENVIRONMENTAL PROTECTION	
13		
14	Small community grants	
15		
16	Provides funds to fund the small	\$1,000,000
17	community grant program, which	
18	provides grants to rural communities to	
19	address specific water pollution problems.	
20		
21	Uncontrolled hazardous waste	
22		
23	Provides funds to investigate and clean up	\$2,000,000
24	uncontrolled hazardous substance	
25	contamination at sites posing	
26	unacceptable threats to public health and	
27	water quality.	
28		
29	Municipal landfills	
30		
31	Provides funds to identify and address	\$800,000
32	pollution problems at closed landfills	
33	under a statutory mandate to monitor and	
34	inspect closed municipal facilities. Bonds	
35	will repay municipalities that conducted	
36	remedial actions such as waterline	
37	extensions or landfill gas collection to	
38	protect nearby residential property.	
39		
40	Industrial landfills	

1		
2	Provides funds to address public health	\$300,000
3	and environmental threats by preventing	
4	pollution from abandoned landfills left	
5	behind by corporations that went	
6	bankrupt.	
7		
8	Air quality monitoring	
9		
10	Provides funds to replace aging or	\$300,000
11	obsolete equipment used to monitor air	
12	quality for public health concerns. The	
13	State can no longer rely on federal	
14	funding to support this effort.	
15		
16	DEPARTMENT OF	
17	TRANSPORTATION	
18		
19	Highway and Bridge Improvements	\$10,000,000
20		
21	Ferry and Port Improvements	\$500,000
22		
23	Airports	\$200,000
24		
25	Transit and Bus Improvements	\$1,000,000
26		
27	Pedestrian and Bicycle Trails	\$950,000
28		
29	Passenger and Freight Rail Improvements	\$9,675,000
30		
31	Provides funds for reconstruction of a	\$700,000
32	bulkhead and wharf at the former United	
33	States Coast Guard facility in Portland.	

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

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

41 **Sec. G-9. Bonds authorized but not issued.** Any bonds authorized but not
 42 issued, or for which bond anticipation notes are not issued within 5 years of ratification of

1 this Part, are deauthorized and may not be issued, except that the Legislature may, within
2 2 years after the expiration of that 5-year period, extend the period for issuing any
3 remaining unissued bonds or bond anticipation notes for an additional amount of time not
4 to exceed 5 years.

5 **Sec. G-10. Referendum for ratification; submission at election; form of**
6 **question; effective date.** This Part must be submitted to the legal voters of the State at
7 a statewide election held in the month of June 2008. The municipal officers of this State
8 shall notify the inhabitants of their respective cities, towns and plantations to meet, in the
9 manner prescribed by law for holding a statewide election, to vote on the acceptance or
10 rejection of this Part by voting on the following question:

11 "Do you favor a \$29,725,000 bond issue for natural resource, agricultural
12 and transportation infrastructure that will leverage \$29,780,000 in other
13 funds?"

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

22 The Secretary of State shall prepare and furnish to each city, town and plantation all
23 ballots, returns and copies of this Part necessary to carry out the purposes of this
24 referendum.

25 PART H

26 **Sec. H-1. Transfer of funds.** Notwithstanding any other provision of law, the
27 State Budget Officer may transfer by financial order in fiscal year 2006-07 any
28 unexpended balance of Personal Services to All Other in the Department of the Secretary
29 of State, Bureau of Administrative Services and Corporations for expenses associated
30 with the special statewide election to be held in June 2007 pursuant to this Act.

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

33 SUMMARY

34 PART A

35 Part A authorizes a \$112,975,000 bond issue for improvements to highways and
36 bridges, airports, public transit facilities, ferry and port facilities including port and
37 harbor structures and bicycle and pedestrian trails. Part A requires a June 2007
38 referendum.

39 PART B

COMMITTEE AMENDMENT "A" to S.P. 640, L.D. 1796

1 Part B authorizes a bond issue in the amount of \$18,300,000 for grants and low-
2 interest loans to support construction of wastewater treatment facilities and to support
3 improvements to Maine's public water systems. Part B requires a June 2007 referendum.

4 PART C

5 Part C authorizes a \$43,500,000 bond issue to make interior and exterior building
6 renovations, improvements and additions at all campuses of the Maine Community
7 College System, Maine Maritime Academy and the University of Maine System;
8 provides funds for the School Revolving Renovation Fund; and provides funds for the
9 New Century Community Program.

10 PART D

11 Part D authorizes a bond issue for \$50,000,000 in research and development funds
12 and \$5,000,000 in loan and grant funds for economic development.

13 PART E

14 Part E authorizes a \$35,500,000 bond issue to be matched by at least \$21,875,000 in
15 private and public contributions. The proceeds must be used to recapitalize the Land for
16 Maine's Future program, of which \$3,000,000 will support the working waterfront
17 program; to fund the agricultural water source development grant program; to fund
18 capital improvements at state parks and historic sites; to invest in river-based community
19 development pursuant to a competitive process under the program authorized in Part F;
20 and to fund the Municipal Investment Trust Fund.

21 PART F

22 Part F establishes the Riverfront Community Development Program, which is
23 contingent on voter approval of the bonds proposed in Part E.

24 PART G

25 Part G authorizes a \$29,725,000 bond issue for natural resource and environmental
26 quality investments, fish hatcheries, dam safety, pollution control and monitoring
27 measures to protect water quality and public health, and for improvements to highways
28 and bridges, airports, public transit facilities, ferry and port facilities and statewide
29 bicycle and pedestrian trails. This Part requires a June 2008 referendum.

30 PART H

31 Part H authorizes the State Budget Officer to transfer by financial order in fiscal year
32 2006-07 any unexpended balance of Personal Services to All Other in the Department of
33 the Secretary of State, Bureau of Administrative Services and Corporations for expenses
34 associated with the special election to be held in June 2007.

DATE

1
2

FISCAL NOTE REQUIRED
(See attached)



123rd MAINE LEGISLATURE

LD 1796

LR 2594(02)

An Act To Authorize Bond Issues for Ratification by the Voters for the June and November 2007 Elections

Fiscal Note for Bill as Amended by Committee Amendment "A" *5-26*
 Committee: Appropriations and Financial Affairs
 Fiscal Note Required: Yes

Fiscal Note

Current biennium cost increase - General Fund
 Current biennium cost increase - Highway Fund

Bond Issues	Term (years)	Principal	Rate (%)	Interest	Total Cost
A Highway Fund - Non-Taxable	10	\$100,000,000	5.0%	\$27,500,000	\$127,500,000
A General Fund - Non-Taxable	10	\$12,975,000	5.0%	\$3,568,125	\$16,543,125
B General Fund - Non-Taxable	10	\$15,400,000	5.0%	\$4,235,000	\$19,635,000
B General Fund - Taxable	10	\$2,900,000	5.75%	\$917,125	\$3,817,125
C General Fund - Non-Taxable	10	\$43,500,000	5.0%	\$11,962,500	\$55,462,500
D General Fund - Taxable	10	\$55,000,000	5.75%	\$17,393,750	\$72,393,750
E General Fund - Non-Taxable	10	\$29,000,000	5.0%	\$7,975,000	\$36,975,000
E General Fund - Taxable	10	\$6,500,000	5.75%	\$2,055,625	\$8,555,625
G General Fund - Non-Taxable	10	\$29,725,000	5.0%	\$8,174,375	\$37,899,375
		<u>\$295,000,000</u>		<u>\$83,781,500</u>	<u>\$378,781,500</u>

Referendum Costs	Month/Year	Election Type	Question	Length
	Jun-07	Special	Bond Issue	Standard
	Nov-07	General	Bond Issue	Standard
	Jun-08	Special	Bond Issue	Standard

Fiscal Detail and Notes

Election costs - This bill includes an authorization for the Secretary of State to use existing personal services General Fund savings in fiscal year 2006-07 to cover the cost of conducting a special state-wide election in June of 2007; the estimated cost for that special election is \$85,000. The Secretary of State's budget includes sufficient funds to accommodate one ballot of average length for the general election in November of 2007. If the number or size of the referendum questions increases the ballot length, an additional appropriation of \$8,000 or more may be required. The special state-wide election in June of 2008 will cost an estimated \$156,043; no General Fund appropriation has been provided in fiscal year 2007-08 to cover this cost.