

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 709

H.P. 492

House of Representatives, February 24, 2009

**An Act To Authorize a General Fund Bond Issue To Weatherize
and Upgrade the Energy Efficiency of Maine Homes and Businesses
and To Provide a Trained Workforce**

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative HINCK of Portland.
Cosponsored by Senator BLISS of Cumberland and
Representatives: BERRY of Bowdoinham, BLANCHARD of Old Town, FITTS of Pittsfield,
FLAHERTY of Scarborough, MARTIN of Eagle Lake, TREAT of Hallowell, WEBSTER of
Freeport, Senator: SHERMAN of Aroostook.

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

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

6 **Sec. 1. Authorization of bonds.** The Treasurer of State is authorized, under the
7 direction of the Governor, to issue bonds in the name and on behalf of the State in an
8 amount not exceeding \$60,000,000 for the purposes described in section 6 of this Act.
9 The bonds are a pledge of the full faith and credit of the State. The bonds may not run for
10 a period longer than 10 years from the date of the original issue of the bonds. At the
11 discretion of the Treasurer of State, with the approval of the Governor, any issuance of
12 bonds may contain a call feature.

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

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

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

27 **Sec. 5. Disbursement of bond proceeds.** The proceeds of the bonds must be
28 expended as set out in this Act under the direction and supervision of the Finance
29 Authority of Maine, Maine State Housing Authority, Department of Labor and
30 Department of Economic and Community Development.

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

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FINANCE AUTHORITY OF MAINE

Provides funds to a grant or loan program at the Finance Authority of Maine designated as incentives to increase electrical and thermal energy efficiencies in the public and private sectors, including industrial users, businesses, hospitals, jails, schools and other large power consumers, for minimum efficiency gains of 20% through upgrades involving waste heat recovery, district heating, cogeneration, installation of variable speed drives and demand control ventilation systems.

\$15,000,000

MAINE STATE HOUSING AUTHORITY

Provides funds to implement the Maine State Housing Authority's existing plans for weatherizing low-income Maine housing.

\$20,000,000

MAINE STATE HOUSING AUTHORITY

Provides funds to create a home revolving weatherization fund for below-market loans through local financial institutions, agencies, community development corporations, counties and municipalities to homeowners, owners of rental properties and small business owners for required energy audits and weatherization or other major energy efficiency improvements. If made through a municipality or county, loans are to be repaid through property tax bill add-ons with the lien priority accorded those taxes. Loans would otherwise be secured by a lien with priority over present and future mortgages, based on a legislative finding of public need and benefit to the property from energy savings. All loans and related liens would run with the property and be assumed by any purchaser of the improved property.

\$10,000,000

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DEPARTMENT OF LABOR

Provides funds for green-energy workforce development. Provides funds for the Department of Labor in collaboration with the Maine Development Foundation, the Department of Economic and Community Development, workforce investment boards, career centers, the University of Maine System and the Maine Community College System to conduct labor market research to analyze the current market and projected job growth in the green economy and emerging industries and technologies, recruitment and skill requirements, wage and benefits ranges and the education and training requirements of workers in those industries. Provides funds for the Department of Labor in collaboration with the Maine State Housing Authority to train workers for weatherization services including by directing funds through the Competitive Skills Scholarship Program, federal Workforce Investment Act of 1998 programs and the ASPIRE-TANF program. Provides funds for the Department of Labor in collaboration with the University of Maine System and the Maine Community College System to distribute grants on a competitive basis, using labor market and industry analysis, to supplement other public or private funds for eligible uses including basic and remedial education and transitional jobs strategies for dislocated workers and new workers to be trained for occupations in high-demand green industries, based on current and projected job creation and their strategic importance to the development of the State's future economy.

\$10,000,000

1 **DEPARTMENT OF ECONOMIC AND**
2 **COMMUNITY DEVELOPMENT**

3
4 Provides community development funds \$5,000,000
5 for energy efficiency by making available a
6 combination of low-interest and no-interest
7 loans and grants for weatherization and
8 other energy efficiency projects for homes,
9 businesses and community meeting places,
10 such as grange halls, community houses
11 and other traditional public areas for
12 gathering in a community.

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

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

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

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

32 "Do you favor a \$60,000,000 bond issue for weatherization and
33 upgrading the energy efficiency of Maine homes and businesses and to
34 provide a trained workforce?"

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

