

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 913

H.P. 631

House of Representatives, March 9, 2009

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**An Act To Authorize Bond Issues for Ratification by the Voters for  
the November 2009 and June 2010 Elections**

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Speaker PINGREE of North Haven. (GOVERNOR'S BILL)  
Cosponsored by President MITCHELL of Kennebec and  
Representatives: BERRY of Bowdoinham, CAIN of Orono, PIOTTI of Unity, Senator:  
DIAMOND of Cumberland.



1		
2	<b>General Fund</b>	
3		
4	Railroad	\$20,000,000
5		
6	Ports	\$10,500,000
7		
8	St. Lawrence and Atlantic Railroad	\$2,000,000
9		
10	Ferry	\$4,000,000
11		
12	Transit, intermodal, park and ride	\$8,900,000
13		
14	Aviation	\$4,600,000
15		
16	Recreational access, pedestrian and bicycle	\$1,000,000
17	trails	
18		
19	The LifeFlight Foundation	\$1,810,000

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

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

27           **Sec. A-9. Bonds authorized but not issued.** Any bonds authorized but not  
 28 issued, or for which bond anticipation notes are not issued within 5 years of ratification of  
 29 this Part, are deauthorized and may not be issued, except that the Legislature may, within  
 30 2 years after the expiration of that 5-year period, extend the period for issuing any  
 31 remaining unissued bonds or bond anticipation notes for an additional amount of time not  
 32 to exceed 5 years.

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

39                           "Do you favor a \$127,810,000 bond issue for improvements to highways  
 40 and bridges, airports, public transit facilities, ferry and port facilities,  
 41 including port and harbor structures, and bicycle and pedestrian trails, as

1 well as funds for the LifeFlight Foundation, that will make the State  
2 eligible for over \$194,000,000 in federal and other matching funds?"

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

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

14 **PART B**

15 **Sec. B-1. Authorization of bonds.** The Treasurer of State is authorized, under  
16 the direction of the Governor, to issue bonds in the name and on behalf of the State in an  
17 amount not exceeding \$52,000,000 for the purposes described in section 6 of this Part.  
18 The bonds are a pledge of the full faith and credit of the State. The bonds may not run for  
19 a period longer than 10 years from the date of the original issue of the bonds. At the  
20 discretion of the Treasurer of State, with the approval of the Governor, any issuance of  
21 bonds may contain a call feature.

22 **Sec. B-2. Records of bonds issued kept by Treasurer of State.** The  
23 Treasurer of State shall keep an account of each bond showing the number of the bond,  
24 the name of the successful bidder to whom sold, the amount received for the bond, the  
25 date of sale and the date when payable.

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

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

36 **Sec. B-5. Disbursement of bond proceeds.** The proceeds of the bonds must be  
37 expended as set out in this Part under the direction and supervision of the University of  
38 Maine System, the Maine Maritime Academy, the Maine Community College System  
39 and the Maine State Cultural Affairs Council.

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**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.

**UNIVERSITY OF MAINE SYSTEM**

**University of Maine System**

Provides funds for the interior and exterior building renovations, improvements and additions at all campuses of the University of Maine System. \$30,000,000

**MAINE COMMUNITY COLLEGE SYSTEM**

**Maine Community College System**

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

**MAINE MARITIME ACADEMY**

**Maine Maritime Academy**

Provides funds for the construction of a teaching and laboratory building. \$5,000,000

**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 education resources. \$2,000,000

**Sec. B-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. B-8. Appropriation balances at year-end.** At the end of each fiscal year, all unencumbered appropriation balances representing state money carry forward. Bond

1 proceeds that have not been expended within 10 years after the date of the sale of the  
2 bonds lapse to General Fund debt service.

3 **Sec. B-9. Bonds authorized but not issued.** Any bonds authorized but not  
4 issued, or for which bond anticipation notes are not issued within 5 years of ratification of  
5 this Part, are deauthorized and may not be issued, except that the Legislature may, within  
6 2 years after the expiration of that 5-year period, extend the period for issuing any  
7 remaining unissued bonds or bond anticipation notes for an additional amount of time not  
8 to exceed 5 years.

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

15 "Do you favor a \$52,000,000 bond issue for interior and exterior building  
16 renovations and improvements and energy efficiency upgrades at  
17 campuses of the University of Maine System, the Community College  
18 System and the Maine Maritime Academy, and to support capital  
19 improvements for cultural and educational assets such as museums,  
20 historical facilities and libraries?"

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

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

## 32 PART C

33 **Sec. C-1. Authorization of bonds.** The Treasurer of State is authorized, under  
34 the direction of the Governor, to issue bonds in the name and on behalf of the State in an  
35 amount not exceeding \$15,500,000 for the purposes described in section 6 of this Part.  
36 The bonds are a pledge of the full faith and credit of the State. The bonds may not run for  
37 a period longer than 10 years from the date of the original issue of the bonds. At the  
38 discretion of the Treasurer of State, with the approval of the Governor, any issuance of  
39 bonds may contain a call feature.

40 **Sec. C-2. Records of bonds issued kept by Treasurer of State.** The  
41 Treasurer of State shall keep an account of each bond showing the number of the bond,

1 the name of the successful bidder to whom sold, the amount received for the bond, the  
2 date of sale and the date when payable.

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

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

13 **Sec. C-5. Disbursement of bond proceeds.** The proceeds of the bonds must be  
14 expended as set out in this Part under the direction and supervision of the Department of  
15 Administrative and Financial Services and the University of Maine System.

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

19 **DEPARTMENT OF**  
20 **ADMINISTRATIVE AND FINANCIAL**  
21 **SERVICES**

22  
23 Provides funds to improve the energy \$8,000,000  
24 efficiency of buildings on the East Campus  
25 of State Government in Augusta and  
26 converts the campus from oil to an  
27 alternative energy.

28  
29 **Maine Marine Wind Energy**  
30 **Demonstration Site Fund**

31  
32 Provides funds for research, development \$7,500,000  
33 and product innovation associated with  
34 developing one or more ocean wind energy  
35 demonstration sites.

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

39 **Sec. C-8. Appropriation balances at year-end.** At the end of each fiscal year,  
40 all unencumbered appropriation balances representing state money carry forward. Bond



1 proceeds that have not been expended within 10 years after the date of the sale of the  
2 bonds lapse to General Fund debt service.

3 **Sec. C-9. Bonds authorized but not issued.** Any bonds authorized but not  
4 issued, or for which bond anticipation notes are not issued within 5 years of ratification of  
5 this Part, are deauthorized and may not be issued, except that the Legislature may, within  
6 2 years after the expiration of that 5-year period, extend the period for issuing any  
7 remaining unissued bonds or bond anticipation notes for an additional amount of time not  
8 to exceed 5 years.

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

15 "Do you favor a \$15,500,000 bond issue to convert the East Campus of  
16 State Government in Augusta from using oil to an alternative energy  
17 source, and the creation of a fund to develop one or more ocean wind  
18 energy demonstration sites?"

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

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

30 **PART D**

31 **Sec. D-1. Authorization of bonds.** The Treasurer of State is authorized, under  
32 the direction of the Governor, to issue bonds in the name and on behalf of the State in an  
33 amount not exceeding \$67,500,000 for the purposes described in section 6 of this Part.  
34 The bonds are a pledge of the full faith and credit of the State. The bonds may not run for  
35 a period longer than 10 years from the date of the original issue of the bonds. At the  
36 discretion of the Treasurer of State, with the approval of the Governor, any issuance of  
37 bonds may contain a call feature.

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

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

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

11           **Sec. D-5. Disbursement of bond proceeds.** The proceeds of the bonds must be  
 12 expended as set out in this Part under the direction and supervision of the Department of  
 13 Economic and Community Development and the Finance Authority of Maine.

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

17           **DEPARTMENT OF ECONOMIC AND**  
 18           **COMMUNITY DEVELOPMENT**

19  
 20           **Brunswick Naval Air Station**  
 21           **Redevelopment**

22		
23	Provides \$10,000,000 for projects at the	\$10,000,000
24	Brunswick Naval Air Station, including the	
25	rehabilitation of buildings, federal	
26	Americans with Disabilities Act and fire	
27	code compliance and other site	
28	improvements, including up to \$4,750,000	
29	for the development of a higher education	
30	engineering and economic development	
31	center.	
32		

33           **Maine Technology Institute**

34		
35	Provides funds for research, development	\$45,000,000
36	and commercialization through a	
37	competitive process, and must be awarded	
38	to Maine-based public and private entities	
39	to leverage matching funds on at least a	
40	one-to-one basis.	

41  
 42           **THE FINANCE AUTHORITY OF**  
 43           **MAINE**

1		
2	Economic Recovery Loan Program	\$7,500,000
3		
4	Small Enterprise Growth Fund	\$5,000,000
5	Recapitalization	

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

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

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

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

25                           "Do you favor a bond issue to stimulate economic development and job  
26 creation that would provide \$12,500,000 in loan and grant funds; would  
27 provide \$10,000,000 for redevelopment of the Brunswick Naval Air  
28 Station; and would provide \$45,000,000 in research, development and  
29 commercialization funds for targeted technology sectors, awarded after a  
30 competitive process administered by the Maine Technology Institute; and  
31 will leverage at least \$45,000,000 in other funds?"

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

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

4 **PART E**

5 **Sec. E-1. Authorization of bonds.** The Treasurer of State is authorized, under  
6 the direction of the Governor, to issue bonds in the name and on behalf of the State in an  
7 amount not exceeding \$3,000,000 for the purposes described in section 6 of this Part.  
8 The bonds are a pledge of the full faith and credit of the State. The bonds may not run for  
9 a period longer than 10 years from the date of the original issue of the bonds. At the  
10 discretion of the Treasurer of State, with the approval of the Governor, any issuance of  
11 bonds may contain a call feature.

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

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

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

26 **Sec. E-5. Disbursement of bond proceeds.** The proceeds of the bonds must be  
27 expended as set out in this Part under the direction and supervision of the Department of  
28 Agriculture.

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

32 **DEPARTMENT OF AGRICULTURE**

33  
34 **Nutrient Management Grant Program**

35  
36 Provides funds to assist farmers \$1,500,000  
37 constructing new or retrofitting existing  
38 pollution control structures on Maine farms  
39 to protect the environment from nutrient  
40 runoff and potential impairment.

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**Agriculture Water Source Development Program**

Provides funds to assist farmers in the development of environmentally sound water sources to manage weather-related risk and to comply with in-stream flow rules that will leverage \$525,000 in other funds. \$1,500,000

**Sec. E-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. E-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. E-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. 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 the month of 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 \$3,000,000 bond issue to provide funds to assist farmers in renovating or constructing pollution control structures and assisting farmers in the development of sustainable water sources and distribution systems?"

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.

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

4 **PART F**

5 **Sec. F-1. Authorization of bonds.** The Treasurer of State is authorized, under  
6 the direction of the Governor, to issue bonds in the name and on behalf of the State in an  
7 amount not exceeding \$23,000,000 for the purposes described in section 5 of this Part and  
8 to access \$23,000,000 in matching contributions from public and private sources. The  
9 bonds are a pledge of the full faith and credit of the State. The bonds may not run for a  
10 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. F-2. Records of bonds issued kept by Treasurer of State.** The  
14 Treasurer of State shall keep an account of each bond showing the number of the bond,  
15 the name of the successful bidder to whom sold, the amount received for the bond, the  
16 date of sale and the date when payable.

17 **Sec. F-3. Sale; how negotiated; proceeds appropriated.** The Treasurer of  
18 State may negotiate the sale of the bonds by direction of the Governor, but no bond may  
19 be 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 Part. Any unencumbered balances remaining at the completion of the project  
23 in this Part lapse to the debt service account established for the retirement of these bonds.

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

27 **Sec. F-5. Disbursement of bond proceeds; purposes.** The proceeds of the  
28 Historic Preservation Revolving Fund must be expended, under the direction and  
29 supervision of the Maine Historic Preservation Commission, for acquisition and resale  
30 subject to preservation easements or covenants of significant endangered historic  
31 buildings by qualified nonprofit historic preservation organizations in the State. The  
32 proceeds of the remaining bonds must be expended as set out in this Part under the  
33 direction and supervision of the Executive Department, Land for Maine's Future Board.  
34 The proceeds of the bonds must be expended for acquisition of land and interest in land  
35 for conservation, water access, outdoor recreation, wildlife and fish habitat, farmland  
36 preservation in accordance with the provisions for such acquisitions under the Maine  
37 Revised Statutes, Title 5, chapter 353 and working waterfront preservation in accordance  
38 with the terms of this Part, including all costs associated with such acquisitions, except  
39 that use of the proceeds of these bonds is subject to the following conditions and  
40 requirements.

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

5           2. Payment from bond proceeds for acquisitions of local or regional significance, as  
6 determined by the Land for Maine's Future Board, may be made directly to cooperating  
7 entities as defined in Title 5, section 6201, subsection 2 for acquisition of land and  
8 interest in land by cooperating entities, subject to terms and conditions enforceable by the  
9 State to ensure its use for the purposes of this Part. In addition to the considerations  
10 required under Title 5, chapter 353, the board shall give a preference to acquisitions under  
11 this subsection that achieve benefits for multiple towns and that address regional  
12 conservation needs including public recreational access, wildlife, open space and  
13 farmland.

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

23           4. Of the bond proceeds allocated to the Land for Maine's Future Board, \$1,800,000  
24 must be made available to acquire public access to water in accordance with Title 5,  
25 section 6203-A.

26           5. Of the bond proceeds allocated to the Land for Maine's Future Board, \$1,800,000  
27 must be made available to protect farmland in accordance with Title 5, section 6207.

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

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

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

37           **EXECUTIVE DEPARTMENT**

38           **State Planning Office**  
39  
40

1           **Land for Maine's Future Board**  
2  
3           Provides funds in order to leverage \$18,000,000  
4           \$9,000,000 in other funds to be used for the  
5           acquisition of land and interest in land for  
6           conservation; water access, which must  
7           receive \$1,800,000; outdoor recreation;  
8           wildlife and fish habitat; and farmland  
9           preservation, which must receive  
10          \$1,800,000.  
11  
12          Provides funds to be used for working \$3,000,000  
13          waterfront preservation in order to leverage  
14          \$3,000,000 in other funds.  
15

16           **HISTORIC PRESERVATION**  
17           **COMMISSION**  
18

19          **Historic Preservation Revolving Fund**  
20  
21          Provides capital investment through a \$2,000,000  
22          revolving loan fund to revitalize  
23          downtowns and village centers by  
24          preserving and rehabilitating historic  
25          properties.

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

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

33           **Sec. F-9. Bonds authorized but not issued.** Any bonds authorized but not  
34          issued, or for which bond anticipation notes are not issued within 5 years of ratification of  
35          this Part, are deauthorized and may not be issued, except that the Legislature may, within  
36          2 years after the expiration of that 5-year period, extend the period for issuing any  
37          remaining unissued bonds or bond anticipation notes for an additional amount of time not  
38          to exceed 5 years.

39           **Sec. F-10. Referendum for ratification; submission at election; form of**  
40          **question; effective date.** This Part must be submitted to the legal voters of the State at  
41          a statewide election held in the month of June 2010 following passage of this Act. The  
42          municipal officers of this State shall notify the inhabitants of their respective cities, towns



1 and plantations to meet, in the manner prescribed by law for holding a statewide election,  
2 to vote on the acceptance or rejection of this Part by voting on the following question:

3 "Do you favor a \$23,000,000 bond issue to preserve endangered  
4 community buildings and invest in land conservation; water access;  
5 wildlife habitat; outdoor recreation opportunities, including hunting and  
6 fishing; farmland; and working waterfront to be matched by at least  
7 \$12,000,000 in private and public contributions?"

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

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

## 19 PART G

20 **Sec. G-1. Authorization of bonds.** The Treasurer of State is authorized, under  
21 the direction of the Governor, to issue bonds in the name and on behalf of the State in an  
22 amount not exceeding \$17,400,000 for the purposes described in section 6 of this Part.  
23 The bonds are a pledge of the full faith and credit of the State. The bonds may not run for  
24 a period longer than 10 years from the date of the original issue of the bonds. At the  
25 discretion of the Treasurer of State, with the approval of the Governor, any issuance of  
26 bonds may contain a call feature.

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

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

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

1 **Sec. G-5. Disbursement of bond proceeds.** The proceeds of the bonds must be  
2 expended as set out in this Part under the direction and supervision of the Department of  
3 Environmental Protection and the Department of Health and Human Services.

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

7 **DEPARTMENT OF**  
8 **ENVIRONMENTAL PROTECTION**

9  
10 **Uncontrolled Sites**

11 Provides funds to investigate and clean up \$1,000,000  
12 uncontrolled hazardous substance  
13 contamination at sites posing unacceptable  
14 threats to public health and water quality.

15  
16  
17 **Wastewater Treatment Facility**  
18 **Construction Grants**

19 Provides funds for wastewater treatment \$10,000,000  
20 facility construction grants to be matched  
21 by \$15,000,000 in other funds.

22  
23  
24 **Wastewater Treatment Facility State**  
25 **Revolving Loan Fund**

26 Provides funds for a wastewater treatment \$3,000,000  
27 facility state revolving loan fund to be  
28 matched by \$15,000,000 in other funds.

29  
30  
31 **DEPARTMENT OF HEALTH AND**  
32 **HUMAN SERVICES**

33  
34 **Safe Drinking Water Revolving Loan**  
35 **Fund**

36 Provides funds for a drinking water \$3,400,000  
37 revolving loan fund in the Department of  
38 Health and Human Services to be matched  
39 by \$17,000,000 in other funds.

40  
41 **Sec. G-7. Contingent upon ratification of bond issue.** Sections 1 to 6 do not  
42 become effective unless the people of the State ratify the issuance of the bonds as set  
43 forth in this Part.

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

5           **Sec. G-9. Bonds authorized but not issued.** Any bonds authorized but not  
6 issued, or for which bond anticipation notes are not issued within 5 years of ratification of  
7 this Part, are deauthorized and may not be issued, except that the Legislature may, within  
8 2 years after the expiration of that 5-year period, extend the period for issuing any  
9 remaining unissued bonds or bond anticipation notes for an additional amount of time not  
10 to exceed 5 years.

11           **Sec. G-10. Referendum for ratification; submission at election; form of**  
12 **question; effective date.** This Part must be submitted to the legal voters of the State at  
13 a statewide election held in the month of June 2010 following passage of this Act. The  
14 municipal officers of this State shall notify the inhabitants of their respective cities, towns  
15 and plantations to meet, in the manner prescribed by law for holding a statewide election,  
16 to vote on the acceptance or rejection of this Part by voting on the following question:

17                            "Do you favor a \$17,400,000 bond issue to support drinking water  
18                            programs and to support the construction of wastewater treatment  
19                            facilities that will leverage \$47,000,000 in other funds?"

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

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

31   **PART H**

32           **Sec. H-1. Establishment of ocean wind energy demonstration sites**

33           **1. Fund established.** The Maine Marine Wind Energy Demonstration Site Fund is  
34 established to provide the basic investment necessary to obtain matching funds and  
35 competitive grants and other funding from federal, state and private sources for research,  
36 development and product innovation associated with developing one or more ocean wind  
37 energy demonstration sites.

38           **2. Definitions.** As used in this section, unless the context otherwise indicates, the  
39 following terms have the following meanings.

40           A. "Fund" means the Maine Marine Wind Energy Demonstration Site Fund.

1 B. "Research and development" means applied engineering and scientific research  
2 and related commercial development conducted by the University of Maine, acting  
3 on behalf of the University of Maine System and its employees and students in the  
4 target areas and in conjunction with federal, state and local partners from the private,  
5 nonprofit and government sectors.

6 C. "Demonstration sites" means geographic locations within the jurisdiction of this  
7 State where applied research and development is considered most likely to produce  
8 significant benefits to the people and economy of the State.

9 **3. Administration of fund.** The University of Maine, acting on behalf of the Board  
10 of Trustees of the University of Maine System, shall administer the fund. The university  
11 may utilize the assets of the fund to carry out and effectuate the purposes, duties and  
12 responsibilities of this Part, including, but not limited to:

13 A. To conduct siting studies for offshore wind sites, giving first priority to  
14 developments in state waters but also consider siting studies for developments in  
15 federal waters that could provide renewable and sustainable power for the State or  
16 provide significant economic opportunity. The siting studies will include  
17 consideration of wind resource, bathymetry, geophysical conditions, transmission and  
18 distribution infrastructure, engineering, environmental effects, multi-use potential,  
19 identification of exclusion zones and cost of energy from each site;

20 B. Using siting information collected under subsection 1, the University of Maine,  
21 acting on its own behalf or in conjunction with partners in the private, nonprofit or  
22 government sectors, may apply for all federal, state and local approvals necessary to  
23 develop a demonstration site to be used for research and development to evaluate new  
24 technologies and monitor environmental impacts. The University of Maine will  
25 construct and operate this site in a manner consistent with applicable federal, state  
26 and local laws and related licenses, permits or other authorizations. The university  
27 may contract, subcontract or collaborate with another public or private entity for any  
28 activity authorized by this subsection;

29 C. To design, prototype and test offshore structures composites components that  
30 could be manufactured by companies in this State; and

31 D. To provide a report to the Governor and the Legislature by March 1, 2010 setting  
32 forth:

33 (1) The operations and accomplishments of the fund during the most recent  
34 fiscal year;

35 (2) The results of monitoring of the effects of any structures placed in the waters  
36 on the environment and fish and wildlife, including marine mammals; and

37 (3) The assets and liabilities of the fund at the end of the most recent fiscal year.

38 **Sec. H-2. Contingent effective date.** This Part takes effect only if the General  
39 Fund bond issue proposed in Part C is approved by the voters of this State.

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PART I

Sec. I-1. 27 MRSA §512 is enacted to read:

**§512. Historic Preservation Revolving Fund**

**1. Fund established; administration.** The Historic Preservation Revolving Fund, referred to in this section as "the revolving fund," is established within the Maine Historic Preservation Commission, referred to in this section as "the commission," in order to provide funds to qualified nonprofit historic preservation organizations in the State for the purpose of acquisition of endangered historic properties of local, state or national significance, as determined by the commission, for resale to new owners who agree to preserve, rehabilitate or restore the properties as necessary, subject to preservation easements or covenants held by the qualified organization. The commission may provide funds to the qualified organization for purposes outlined in subsection 4.

All funds received must be deposited into the revolving fund.

**2. Review process.** The commission shall review proposals for acquisition of historic properties by qualified organizations with funds from the revolving fund in accordance with this section.

**3. Applicant requirements.** An applicant for funding under this section must be a qualified nonprofit historic preservation organization. For purposes of this section, "qualified nonprofit historic preservation organization" or "qualified organization" means a nonprofit preservation or historical organization whose purposes include preservation of historic property or a governmental body. A qualified organization must also demonstrate previous historic preservation, rehabilitation or acquisition activity; availability of staff with demonstrated professional training and experience in administration of historic preservation programs; and familiarity with preservation standards and with acquisition and resale of historic property

The qualified organization must also demonstrate the capacity to undertake the project with a reasonable prospect of bringing it to a successful conclusion. In assessing an applicant's ability to meet the requirements of this subsection, the commission may consider all relevant factors, including but not limited to the applicant's organizational purpose; organizational history; previous historic preservation, rehabilitation or acquisition activity; scope of economic or revitalization vision; and evidence of success in previous efforts.

**4. Revolving fund expenditures.** Payment from the revolving fund is made by the commission to qualified nonprofit historic preservation organizations for the purpose of preservation of significant endangered historic properties through acquisition and resale. Payments may include all costs associated with such an acquisition and carrying costs, as well as stabilization, rehabilitation and completion of a conditions study by the qualified organization for approval by the commission and may also include a fee for establishing a preservation easement or covenant to be held by the qualified organization. When possible, the qualified organization shall seek to secure the qualified property by option to be executed at closing to minimize carrying costs. The qualified organization shall seek to resell the property at fair market value to a new private, nonprofit or public owner that

1 agrees to preserve, rehabilitate or restore the property as provided in the easement or  
2 covenant. Net proceeds from the resale of properties must be returned to the revolving  
3 fund within the commission. Funds returned to the revolving fund are to be used  
4 exclusively for the acquisition of additional historic properties, except that no more than  
5 5% of the fund balance may be used by the commission to fund administration of the  
6 program.

7 **5. Evaluation criteria.** The commission shall evaluate proposals under this section.  
8 The commission shall seek to fund those proposals that best meet its historic preservation  
9 priorities for the State and region and that support its economic and community  
10 development and enhancement priorities and shall evaluate properties in such proposals  
11 relative to:

12 A. The level of historic or architectural significance;

13 B. The value with respect to historic preservation and rehabilitation;

14 C. The degree to which the property is endangered;

15 D. The economic significance to the immediate vicinity and to the State;

16 E. The value with respect to downtown revitalization, open space conservation or  
17 other public purposes;

18 F. The availability at fair market value;

19 G. The degree to which the property is available below fair market value;

20 H. The potential marketability and identification of interested buyers;

21 I. The feasibility of rehabilitation or restoration and reuse;

22 J. The value of the proposed property with respect to tourism promotion and  
23 development;

24 K. The degree of community support; and

25 L. The extent to which the proposed project involves partnerships or meets multiple  
26 criteria.

27 **6. Rules.** The commission may adopt rules to implement this section. Rules adopted  
28 to implement this section are routine technical rules as defined in Title 5, chapter 375,  
29 subchapter 2-A.

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

## 32 SUMMARY

33 Part A authorizes a \$127,810,000 bond issue for improvements to highways and  
34 bridges, airports, public transit facilities, ferry and port facilities including port and  
35 harbor structures, and statewide bicycle and pedestrian trails, as well as funding for the  
36 LifeFlight Foundation. Part A requires a November 2009 referendum.

1 Part B authorizes a \$52,000,000 bond issue to make building renovations at campuses  
2 of the University of Maine System, Maine Community College System and Maine  
3 Maritime Academy and provides funding for the New Century Community Program.  
4 Part B requires a November 2009 referendum.

5 Part C authorizes a \$15,500,000 bond issue for energy-related projects, including the  
6 conversion of the East Campus in Augusta to alternative energy sources. Part C requires  
7 a November 2009 referendum.

8 Part D authorizes a bond issue for \$67,500,000 in research and development funds,  
9 \$12,500,000 in loan and grant funds for economic development and \$10,000,000 for  
10 redevelopment projects at the Brunswick Naval Air Station. Part D requires a November  
11 2009 referendum.

12 Part E authorizes a \$3,000,000 bond issue for natural resource and environmental  
13 quality investments in farm irrigation and agricultural business loans for pollution control  
14 and monitoring measures to protect water quality and public health. Part E requires a  
15 June 2010 referendum.

16 Part F authorizes a bond issue to recapitalize the Land for Maine's Future program  
17 with \$18,000,000 to continue the State's land conservation efforts and \$3,000,000 to  
18 support the working waterfront program, and \$2,000,000 to create the Historic  
19 Preservation Revolving Fund to be matched by at least \$23,000,000 in private and public  
20 contributions. Part F requires a June 2010 referendum.

21 Part G authorizes a bond issue in the amount of \$17,400,000 for grants and low-  
22 interest loans to support construction of wastewater treatment facilities and to support  
23 improvements to Maine's public water systems. Part G requires a June 2010 referendum.

24 Part H establishes the Maine Marine Wind Energy Demonstration Site Fund and  
25 language to implement a demonstration site contingent on the passage of the bond issue  
26 authorized in Part C.

27 Part I establishes the review process by which the Maine Historic Preservation  
28 Commission will act on applications from qualified nonprofit historic preservation  
29 organizations to acquire endangered historic properties for resale.