

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

SECOND REGULAR SESSION-2010

Legislative Document

No. 1816

S.P. 724

In Senate, March 9, 2010

**An Act To Authorize a Bond Issue for Ratification by the Voters for
the June 2010 Election To Create Jobs in the State**

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by President MITCHELL of Kennebec.
Cosponsored by Speaker PINGREE of North Haven and
Senators: CRAVEN of Androscoggin, JACKSON of Aroostook, Representatives: CAIN of
Orono, CONNOR of Kennebunk, MARTIN of Eagle Lake, MILLER of Somerville,
ROTUNDO of Lewiston, WEBSTER of Freeport.

1	DEPARTMENT OF HEALTH AND	
2	HUMAN SERVICES	
3		
4	Provides funds for a drinking water	\$2,120,000
5	revolving loan fund in the department to be	
6	matched by federal funds.	
7		
8	DEPARTMENT OF	
9	ENVIRONMENTAL PROTECTION	
10		
11	Provides funds for a wastewater program	\$3,050,000
12	state revolving loan fund to be matched by	
13	federal funds.	
14		
15	Provides funds for an overboard discharge	\$500,000
16	assistance program fund.	
17		
18	Provides funds for an underground oil tank	\$500,000
19	remediation fund.	
20		
21	Provides funds for culvert replacement for	\$500,000
22	fish passage.	
23		
24	PUBLIC UTILITIES COMMISSION	
25		
26	Provides funds for the Efficiency Maine	\$20,000,000
27	Trust energy program.	
28		
29	DEPARTMENT OF	
30	TRANSPORTATION	
31		
32	Provides funds to purchase and upgrade	\$20,000,000
33	241 miles of track of the Montreal, Maine	
34	and Atlantic Railway to maintain service to	
35	towns in the northern part of the State to	
36	prevent closure of this trackage.	
37		
38	Provides funds for a passenger rail	\$5,000,000
39	connector between Topsham and the	
40	Lewiston-Auburn multimodal facility.	
41		

1 Provides funds for the highway \$47,500,000
2 maintenance program for reconstruction
3 and preservation of pavement.

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

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

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

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

23 "Do you favor a \$99,170,000 bond issue to create jobs in the State by
24 improving our roads and bridges, to support clean water programs,
25 wastewater programs and repairs, to perform railroad improvements and
26 to provide funds for energy efficiency grants for schools and higher
27 education?"

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

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

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PART B

Sec. B-1. Disbursement of Efficiency Maine Trust bond proceeds. The proceeds of the bond issued for the Efficiency Maine Trust energy program under the authority of the Public Utilities Commission must be expended as set out in this Part under the direction and supervision of the Efficiency Maine Trust for energy efficiency retrofits and related work to reduce energy costs for public school buildings in the State. The use of the proceeds of this bond must be consistent with the goals of the Efficiency Maine Trust established under the Maine Revised Statutes, Title 35-A, chapter 97 and must also adhere to the following requirements.

10 1. The funding must be awarded on a competitive basis and the award criteria must
11 include the expected amount of energy saved or greenhouse gases reduced, an analysis of
12 the costs and benefits of a project, the ability of the applicant to leverage additional
13 funding, the likelihood that the project can be implemented promptly and whether the
14 project is supported by technical information, including an audit by a certified energy
15 auditor, professional engineer or qualified commercial energy auditor.

16 2. For each project, the Efficiency Maine Trust shall coordinate with the Department
17 of Education to leverage funding, loans, credits or other resources provided through the
18 federal American Recovery and Reinvestment Act of 2009 to maximize the opportunities
19 to provide energy savings for the school.

20 3. The amount of funding from bond proceeds to be awarded to any single school in
21 the State may not exceed \$2,000,000.

22 **Sec. B-2. Contingent upon ratification of bond issue.** This Part does not
23 become effective unless the people of the State ratify the issuance of the bonds as set
24 forth in Part A of this Act.

25

SUMMARY

26 Part A of this bill creates jobs in Maine by authorizing a June 2010 referendum on a
27 \$99,170,000 bond issue to support drinking water programs and to support the
28 construction of wastewater treatment facilities; to support overboard discharge assistance
29 programs; to support underground oil tank remediation programs; to support culvert
30 replacement for fish passage; to support the Efficiency Maine Trust; to purchase and
31 upgrade 241 miles of track in the northern part of Maine; to construct a rail connector
32 between Topsham and Lewiston-Auburn; to support the highway maintenance program;
33 and to leverage other matching funds.

34 Part B of this bill describes specific requirements for the awarding of bond funds by
35 the Efficiency Maine Trust.