

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
124TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "F" to COMMITTEE AMENDMENT "A" to H.P. 1313, L.D. 1826, Bill, "An Act To Authorize Bond Issues for Ratification by the Voters for the June 2010 Election"

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

'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 2010 Election and November 2010 Election'

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,

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

PART A

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

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.

SENATE AMENDMENT

1 **Sec. A-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. A-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. A-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 Transportation.

14 **Sec. A-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**
18 **TRANSPORTATION**

19 **General Fund**

21		
22	Provides funds for railroads, including	\$27,000,000
23	\$17,000,000 to purchase and preserve	
24	approximately 240 miles of railroad track	
25	in Aroostook County currently owned and	
26	operated by the Montreal, Maine and	
27	Atlantic Railway, which track upon	
28	acquisition by the State must be operated	
29	by a rail operator chosen through a	
30	competitive process, in consultation with	
31	shippers and other stakeholders of the	
32	track; \$5,000,000 to purchase a portion of	
33	rail line and to make other improvements	
34	related to improved freight rail service and	
35	preparation for future passenger rail service	
36	to Lewiston and Auburn; and \$5,000,000	
37	for repairs and improvements of the	
38	portions of the Mountain Division Railroad	
39	owned by the State.	

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

43 **Sec. A-8. Appropriation balances at year-end.** At the end of each fiscal year,
44 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. A-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. A-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 June 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 \$27,000,000 bond issue to create jobs in Maine through
16 improvements to railroads?"

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

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

28 **PART B**

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

30 **Sec. C-1. Authorization of bonds.** The Treasurer of State is authorized, under
31 the direction of the Governor, to issue bonds in the name and on behalf of the State in an
32 amount not exceeding ~~\$10,250,000~~ **\$9,050,000** for the purposes described in section 6 of
33 this Part. The bonds are a pledge of the full faith and credit of the State. The bonds may
34 not run for a period longer than 10 years from the date of the original issue of the bonds.
35 At the discretion of the Treasurer of State, with the approval of the Governor, any
36 issuance of bonds may contain a call feature.

37 **Sec. B-2. PL 2009, c. 414, Pt. C, §6** is amended to read:

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

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Safe Drinking Water Revolving Loan Fund

Provides funds for a drinking water revolving loan fund to acquire, design, plan, construct, enlarge, repair, protect or improve drinking water supplies or treatment systems to be matched by ~~\$17,000,000~~ \$10,000,000 in other funds. ~~\$3,400,000~~ \$2,000,000

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Small Community Grant Program

Provides funding for grants to towns to help replace malfunctioning septic systems that are polluting a water body or causing a public nuisance. \$1,000,000

Wastewater Treatment Facility State Revolving Loan Fund

Provides funds for a wastewater treatment facility state revolving loan fund to be matched by ~~\$15,000,000~~ \$16,000,000 in other funds. ~~\$3,000,000~~ \$3,200,000

Uncontrolled Sites

Provides funds to investigate and clean up uncontrolled hazardous substance contamination at sites posing unacceptable threats to public health and water quality. \$750,000

Wastewater Treatment Facility Construction Grants

Provides funds for wastewater treatment facility construction grants to be matched by \$900,000 in other funds. \$600,000

Overboard Discharge

Provides funds to assist homeowners whose homes are serviced by substandard or malfunctioning waste water treatment systems, including straight pipe discharges, individual overboard discharge systems, subsurface waste water disposal systems, septic tanks, leach fields and cesspools, which systems result in direct discharges of domestic pollutants to the surface waters of the State.

\$500,000

**DEPARTMENT OF AGRICULTURE,
FOOD AND RURAL RESOURCES**

**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 \$350,000 in other funds.

\$1,000,000

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

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 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 ~~\$10,250,000~~\$9,050,000 bond issue to improve water quality, support drinking water programs and the construction of wastewater treatment facilities and to assist farmers in the development of environmentally sound water sources that will leverage ~~\$33,250,000~~\$27,250,000 in federal and other funds?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If a majority of the legal votes are cast in favor of this Part, the

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Governor shall proclaim the result without delay and this Part becomes effective 30 days after the date of the proclamation.

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

PART C

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 \$5,000,000 for the purposes described in section 6 of this Part. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 10 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature. The \$3,500,000 in bonds to be awarded pursuant to section 6 on a competitive basis for a community-based teaching clinic affiliated with or operated by a college of dental medicine may not be issued before July 1, 2010 and the \$1,500,000 in bonds to be used to upgrade community-based health care clinics may not be issued before July 1, 2011.

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.

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.

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.

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 Department of Health and Human Services.

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.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

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

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

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

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall

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1 review the returns. If a majority of the legal votes are cast in favor of this Part, the
2 Governor shall proclaim the result without delay and this Part becomes effective 30 days
3 after the date of the proclamation.

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

7 **PART D**

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

9 **6-A. Monitoring of grants.** The program director or chief executive officer under
10 subsection 2, paragraph C, subparagraph (3) shall monitor contracts resulting from grant
11 awards established by the department concerning community-based dental clinics
12 affiliated with or operated by a school of dentistry.

13 **PART E**

14 **Sec. E-1. Oral Health Advisory Committee.** The Department of Health and
15 Human Services shall establish the Oral Health Advisory Committee, referred to in this
16 Part as "the committee," to award a \$3,500,000 grant to create a teaching dental clinic
17 pursuant to subsections 3 and 4 and to award \$1,500,000 in grants pursuant to subsection
18 5, subject to the passage of the referendum set out in Part C.

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

- 23 A. A representative of a group representing individuals licensed to practice dentistry
24 in this State;
- 25 B. A representative of a statewide organization representing low-income individuals;
- 26 C. A representative of an organization representing community-based health care
27 clinics;
- 28 D. An individual representing community-based dental clinics;
- 29 E. A representative of a foundation based in this State committed to improving the
30 health of citizens in this State who has experience funding direct service for dental
31 care; and
- 32 F. An individual representing Maine veterans of the United States Armed Forces or
33 the Maine National Guard who has experience with dental care.

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

36 **3. Duties.** The committee shall create an application for the grant for a teaching
37 dental clinic for interested parties within 60 days of the passage of the referendum in Part
38 C. The committee shall hold a bidders conference within 7 days following issuance of the

1 applications, after which an applicant has 18 days to complete and submit the application.
2 The committee shall award the grant before March 1, 2011.

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

5 A. The recipient must:

6 (1) Be a postsecondary institution with its primary campus located in the State;

7 (2) Be accredited by a regional accrediting agency approved by the United States
8 Department of Education;

9 (3) Have a board of trustees that has previously approved a degree program that
10 grants a doctorate of dental medicine or a doctorate of dental surgery;

11 (4) Have educational programs for health professions that are academically and
12 clinically based; and

13 (5) Offer a degree in public health.

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

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

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

22 A. Be from an underserved community that has a demonstrated need for dental care;

23 B. Be a qualified health care provider, including, but not limited to, federally
24 qualified health care centers, veterans' health care facilities, health care facilities
25 established by the United States Department of Defense serving active duty military
26 personnel, Maine-based nonprofit health care centers and municipally supported
27 health care clinics; and

28 C. Demonstrate a capacity to accommodate dental students.

29 **6. Completion date.** The grants under subsection 5 must be awarded by December
30 1, 2011, and following disbursement of these grants the committee terminates.

31 **PART F**

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

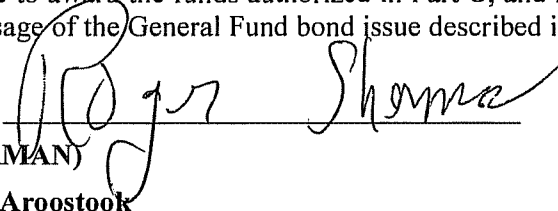
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SUMMARY

This amendment replaces Committee Amendment "A" and authorizes a \$27,000,000 bond issue for improvements to railroads. This amendment decreases the amount of the bond request in Committee Amendment "A" for the Safe Drinking Water Revolving Loan Fund and the Wastewater Treatment Facility State Revolving Loan Fund by \$6,400,000. The amendment also specifies that the \$3,500,000 of the bonds to be awarded on a competitive basis for a community-based teaching clinic affiliated with or operated by a college of dental medicine may not be issued before July 1, 2010 and the \$1,500,000 of the bonds to be used to upgrade community-based health care clinics may not be issued before July 1, 2011. The amendment establishes a regular monitoring requirement regarding grant recipients of funding authorized in Part C; establishes the Oral Health Advisory Committee to award the funds authorized in Part C; and makes Part D and Part E contingent on passage of the General Fund bond issue described in Part C.

SPONSORED BY:



(Senator SHERMAN)

COUNTY: Aroostook

**FISCAL NOTE REQUIRED
(See attached)**



124th MAINE LEGISLATURE

LD 1826

LR 2648(16)

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

Fiscal Note for Senate Amendment "F" to Committee Amendment "A"

Sponsor: Sen. Sherman of Aroostook

Fiscal Note Required: Yes

Fiscal Note

Bond Issues	Term (years)	Principal	Rate (%)	Interest	Total Cost
General Fund - Non-Taxable	10	(\$47,800,000)	4.0%	(\$10,516,000)	(\$58,316,000)
General Fund - Taxable	10	(\$6,400,000)	5.0%	(\$1,760,000)	(\$8,160,000)

Fiscal Detail and Notes

This amendment reduces the amount of bonds to be sent to the voters by \$54,200,000.