

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
124TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "H" 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 in Part A in section 1 in the 3rd line (page 1, line 24 in amendment) by striking out the following: "\$69,800,000" and inserting the following: '\$20,000,000'

Amend the amendment in Part A by striking out all of section 6 and inserting the following:

'Sec. A-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
TRANSPORTATION

General Fund

Provides funds for state highway reconstruction and paving. \$20,000,000

Amend the amendment in Part A in section 10 by striking out the question (page 3, lines 25 to 27 in amendment) and inserting the following:

"Do you favor a \$20,000,000 bond issue to create jobs in Maine through improvements to state highways?"

Amend the amendment in Part B by inserting before section 1 the following:

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

Sec. B-1. Authorization of bonds. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding ~~\$25,000,000~~ \$23,500,000 for the purposes described in section 6 of this Part. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 10 years from the date of the original issue of the bonds.

1 At the discretion of the Treasurer of State, with the approval of the Governor, any
2 issuance of bonds may contain a call feature.

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

4 **Sec. B-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 **MAINE HISTORIC PRESERVATION**
8 **COMMISSION**

9
10 Establishes a revolving fund for the \$1,500,000 \$1,250,000
11 purpose of acquiring significant historic
12 properties.

13
14 **DEPARTMENT OF ECONOMIC AND**
15 **COMMUNITY DEVELOPMENT**

16
17 Provides funds to make investments under \$3,500,000 \$2,500,000
18 the Communities for Maine's Future
19 Program in competitive community and
20 economic revitalization projects, which
21 must be matched with at least ~~\$3,500,000~~
22 \$2,500,000.

23
24 **Maine Technology Institute**

25
26 Provides funds for research and \$3,000,000
27 development and commercialization as
28 prioritized by the Office of Innovation's
29 current Science and Technology Action
30 Plan for Maine. The funds must be
31 allocated to environmental and renewable
32 energy technology, biomedical an
33 biotechnology, aquaculture and marine
34 technology, composite materials
35 technology, advanced technologies for
36 forestry and agriculture, information
37 technology and precision manufacturing
38 technology through a competitive process
39 and must be awarded to Maine-based
40 public and private institutions and must be
41 awarded to leverage matching funds of at
42 least \$3,000,000.

43
44 **Brunswick Naval Air Station**
45 **Redevelopment**

1
2 Provides for redevelopment projects at the \$8,000,000
3 Brunswick Naval Air Station, including the
4 rehabilitation of buildings, federal
5 Americans with Disabilities Act and fire
6 code compliance and other site
7 improvements, including up to \$4,750,000
8 for the development of a higher education
9 engineering and economic development
10 center. These funds will leverage
11 \$32,500,000 in federal funds.
12
13 **FINANCE AUTHORITY OF MAINE**
14
15 Provides grants for food processing for \$1,000,000
16 fishing, agricultural, dairy and lumbering
17 industries within the State.
18
19 **Economic Recovery Loan Program** \$3,000,000 \$2,750,000
20
21 **Small Enterprise Growth Fund**
22
23 Provides funds for disbursements to \$5,000,000
24 qualifying small businesses in the State
25 seeking to pursue eligible projects.

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

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

33 "Do you favor a ~~\$25,000,000~~ \$23,500,000 bond issue to provide capital
34 investment to stimulate economic development and job creation by
35 making investments under the Communities for Maine's Future Program
36 and in historic properties; providing funding for research and
37 development investments awarded through a competitive process;
38 providing funds for disbursements to qualifying small businesses; and
39 providing grants for food processing for fishing, agricultural, dairy and
40 lumbering businesses within the State and redevelopment projects at the
41 Brunswick Naval Air Station that will make the State eligible for over
42 ~~\$39,000,000~~ \$38,000,000 in federal and other matching funds?"

43 The legal voters of each city, town and plantation shall vote by ballot on this question
44 and designate their choice by a cross or check mark placed within a corresponding square

1 below the word "Yes" or "No." The ballots must be received, sorted, counted and
2 declared in open ward, town and plantation meetings and returns made to the Secretary of
3 State in the same manner as votes for members of the Legislature. The Governor shall
4 review the returns. If a majority of the legal votes are cast in favor of this Part, the
5 Governor shall proclaim the result without delay and this Part becomes effective 30 days
6 after the date of the proclamation.

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

10 Amend the amendment in Part B in section 1 in section C-1 in the 3rd line (page 4,
11 line 3 in amendment) by striking out the following: "\$15,450,000" and inserting the
12 following: '\$12,250,000'

13 Amend the amendment in Part B in section 2 in section C-6 under the caption
14 "**DEPARTMENT OF HEALTH AND HUMAN SERVICES**" by striking out all of
15 that part designated "**Safe Drinking Water Revolving Loan Fund**" (page 4, lines 16 to
16 24 in amendment) and inserting the following:

17 **Safe Drinking Water Revolving Loan**
18 **Fund**

19
20 Provides funds for a drinking water ~~\$3,400,000~~ \$4,400,000
21 revolving loan fund to acquire, design,
22 plan, construct, enlarge, repair, protect or
23 improve drinking water supplies or
24 treatment systems to be matched by
25 ~~\$17,000,000~~ \$22,000,000 in other funds.
26

27 Amend the amendment in Part B in section 2 in section C-6 under the caption
28 "**DEPARTMENT OF ENVIRONMENTAL PROTECTION**" by striking out all of
29 that part designated "**Wastewater Treatment Facility State Revolving Loan Fund**"
30 (page 4, lines 36 to 42 in amendment) and inserting the following:

31 **Wastewater Treatment Facility State**
32 **Revolving Loan Fund**

33
34 Provides funds for a wastewater treatment ~~\$3,000,000~~ \$4,000,000
35 facility state revolving loan fund to be
36 matched by ~~\$15,000,000~~ \$20,000,000 in
37 other funds.
38

39 Amend the amendment in Part B in section 3 in section C-10 by striking out the
40 question (page 6, lines 3 to 7 in amendment) and inserting the following:

41 ' "Do you favor a ~~\$10,250,000~~ \$12,250,000 bond issue to improve water
42 quality, support drinking water programs and the construction of

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wastewater treatment facilities and to assist farmers in the development of environmentally sound water sources that will leverage \$33,250,000 \$43,250,000 in federal and other funds?"

Amend the amendment in Part C in section 1 in section D-1 in the 3rd line (page 6, line 23 in amendment) by striking out the following: "\$38,500,000" and inserting the following: '\$18,000,000'

Amend the amendment in Part C by striking out all of section 2 and inserting the following:

'Sec. C-2. PL 2009, c. 414, Pt. D, §6, as amended by PL 2009, c. 571, Pt. PP, §2, is further amended to read:

Sec. D-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.

PUBLIC UTILITIES COMMISSION

Public Utilities Commission

Provides funds for weatherization and energy efficiency programs for low and middle income households and small businesses. If the energy efficiency programs of the commission are transferred to another entity established by the Legislature, the commission shall transfer all unexpended funds to that entity. \$12,000,000 \$5,000,000

UNIVERSITY OF MAINE SYSTEM

University of Maine System

Provides funds for energy and infrastructure upgrades at all campuses of the University of Maine System. \$9,500,000 \$4,280,000

MAINE COMMUNITY COLLEGE SYSTEM

Maine Community College System

Provides funds for energy and infrastructure upgrades at all campuses of the Maine Community College System. \$5,000,000 \$2,260,000

MAINE MARITIME ACADEMY

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Maine Maritime Academy

Provides funds for energy and infrastructure upgrades at the Maine Maritime Academy. \$1,000,000 \$460,000

**DEPARTMENT OF
ADMINISTRATIVE AND FINANCIAL
SERVICES
UNIVERSITY OF MAINE SYSTEM**

**Maine Marine Wind Energy
Demonstration Site Fund**

Provides funds for research, development and product innovation associated with developing one or more ocean wind energy demonstration sites. \$6,000,000

Amend the amendment in Part C in section 3 in section D-10 in the question in the 6th line (page 8, line 22 in amendment) by striking out the following: "\$38,500,000" and inserting the following: '\$18,000,000'

Amend the amendment by striking out all of Parts D, E, F and G and inserting the following:

'PART D

Sec. D-1. PL 2009, c. 414, Pt. E, §1 is amended to read:

Sec. E-1. Authorization of bonds. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$10,000,000 \$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.

Sec. D-2. PL 2009, c. 414, Pt. E, §5 is amended to read:

Sec. E-5. Disbursement of bond proceeds. The proceeds of the bonds must be expended as set out in this Part under the direction and supervision of the Executive Department, State Planning Office and the Department of Conservation. The proceeds of the bonds for the Land for Maine's Future Board must be expended for acquisition of land and interest in land for conservation, water access, outdoor recreation, wildlife and fish habitat, farmland preservation in accordance with the provisions for such acquisitions under the Maine Revised Statutes, Title 5, chapter 353 and working waterfront

1 preservation in accordance with the terms of this Part, including all costs associated with
2 such acquisitions, except that use of the proceeds of these bonds is subject to the
3 following conditions and requirements.

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

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

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

26 4. Of the bond proceeds allocated to the Land for Maine's Future Board, ~~\$1,000,000~~
27 \$500,000 must be made available to protect farmland in accordance with Title 5, section
28 6207.

29 5. Of the bond proceeds allocated to the Land for Maine's Future Board, ~~\$2,000,000~~
30 \$1,000,000 must be made available to protect working waterfront properties in
31 accordance with Public Law 2005, chapter 462, Part B, section 6.

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

35 **Sec. D-3. PL 2009, c. 414, Pt. E, §6** is amended to read:

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

39
40 **EXECUTIVE DEPARTMENT**

41
42 **State Planning Office**

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Land for Maine's Future Board

Provides funds in order to leverage \$6,500,000 \$3,000,000
~~\$6,500,000~~ \$3,000,000 in other funds to be
used for the acquisition of land and interest
in land for conservation; water access,
wildlife and fish habitat; outdoor
recreation, including hunting and fishing;
and farmland preservation.

Provides funds to be used for working \$1,000,000 \$500,000
farmland preservation in order to leverage
~~\$1,000,000~~ \$500,000 in other funds.

Provides funds to be used for working \$2,000,000 \$1,000,000
waterfront preservation in order to leverage
~~\$2,000,000~~ \$1,000,000 in other funds.

DEPARTMENT OF CONSERVATION

Bureau of Parks and Lands

Provides funds to preserve state parks and \$500,000
properties managed by the Department of
Conservation.

27 **Sec. D-4. PL 2009, c. 414, Pt. E, §10** is amended to read:

28 **Sec. E-10. Referendum for ratification; submission at election; form of**
29 **question; effective date.** This Part must be submitted to the legal voters of the State at
30 a statewide election held in November 2010 following passage of this Act. The
31 municipal officers of this State shall notify the inhabitants of their respective cities, towns
32 and plantations to meet, in the manner prescribed by law for holding a statewide election,
33 to vote on the acceptance or rejection of this Part by voting on the following question:

34 "Do you favor a ~~\$10,000,000~~ \$5,000,000 bond issue to invest in land
35 conservation and working waterfront preservation and to preserve state
36 parks to be matched by ~~\$9,500,000~~ \$4,500,000 in federal and other
37 funds?"

38 The legal voters of each city, town and plantation shall vote by ballot on this question
39 and designate their choice by a cross or check mark placed within a corresponding square
40 below the word "Yes" or "No." The ballots must be received, sorted, counted and
41 declared in open ward, town and plantation meetings and returns made to the Secretary of
42 State in the same manner as votes for members of the Legislature. The Governor shall
43 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.'

Amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment reduces funding provided by bonds authorized in Public Law 2009, chapter 414 as follows:

- 1. It reduces funding for the Maine Historic Preservation Commission by \$250,000;
- 2. It reduces funding for the Communities for Maine's Future Program by \$1,000,000;
- 3. It reduces funding for the Economic Recovery Loan Program by \$250,000;
- 4. It reduces funding for weatherization and energy efficiency programs by \$7,000,000;
- 5. It reduces funding for higher education building renovations by \$8,500,000;
- 6. It reduces funding for the Maine Marine Wind Energy Demonstration Site Fund by \$5,000,000; and
- 7. It reduces funding for the Land for Maine's Future Board by \$5,000,000.

This amendment reduces the increase in funding for the Safe Drinking Water Revolving Loan Fund from \$2,000,000 to \$1,000,000 for a total of \$4,400,000 and it reduces the increase in funding for the Wastewater Treatment Facility State Revolving Loan Fund from \$3,200,000 to \$1,000,000 for a total of \$4,000,000. It reduces the transportation bond from \$69,800,000 to \$20,000,000 and limits the use of the proceeds from the transportation bond to funding for state highway reconstruction and paving. It removes the authorization for a \$5,000,000 bond issue for a community-based teaching clinic and for upgrades to community-based health and dental care clinics and removes the implementing language for this bond issue.

FISCAL NOTE REQUIRED

(See attached)

SPONSORED BY: Richard A. Nass

(Senator NASS, R.)

COUNTY: York



124th MAINE LEGISLATURE

LD 1826

LR 2648(13)

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

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

Sponsor: Sen. Nass of York

Fiscal Note Required: Yes

Fiscal Note

Bond Issues	Term (years)	Principal	Rate (%)	Interest	Total Cost
General Fund - Non-Taxable	10	(\$71,800,000)	4.0%	(\$15,796,000)	(\$87,596,000)
General Fund - Taxable	10	(\$13,200,000)	5.0%	(\$3,630,000)	(\$16,830,000)

Fiscal Detail and Notes

This amendment modifies both the committee amendment and existing law to reduce bonds authorized by \$85,000,000 and change the mix of bonds going to the voters.