

MAINE STATE LEGISLATURE

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Date: 4-7-10

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STATE OF MAINE
SENATE
124TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "I" 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 the substitute title and replacing it with the following:

'An Act To Authorize a Bond Issue for Ratification by the Voters for the November 2010 Election'

Amend the amendment by striking out all of Parts A, B and C.

Amend the amendment in Part D by striking out all of section 1 (page 9, lines 2 to 8 in amendment) and inserting the following:

'Sec. D-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 \$6,000,000 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 bonds may not be issued before July 1, 2011.'

Amend the amendment in Part D by striking out all of section 6 (page 9, lines 26 to 41 in amendment) and inserting the following:

'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.

7 of 8
1 **DEPARTMENT OF HEALTH AND**
2 **HUMAN SERVICES**

3
4 Provides funds to be awarded on a \$6,000,000
5 competitive basis, \$4,500,000 to be used
6 for a community-based teaching clinic
7 affiliated with or operated by a college of
8 dental medicine to be matched by
9 \$4,500,000 in other funds, and \$1,500,000
10 to be used to upgrade community-based
11 health and dental care clinics across the
12 State to increase their capacity as teaching
13 clinics.
14

15 Amend the amendment in Part D by striking out all of section 10 (page 10, lines 14 to
16 37 in amendment) and inserting the following:

17 **'Sec. D-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 November 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 \$6,000,000 bond issue to be awarded on a competitive
24 basis to increase access to dental care in Maine, \$4,500,000 to be used
25 for a community-based teaching dental clinic affiliated with or operated
26 by a college of dental medicine to be matched by \$4,500,000 in other
27 funds, and \$1,500,000 to be used to create or upgrade community-based
28 health and dental care clinics across the State to increase their capacity as
29 teaching and dental clinics?"

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

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

41 Amend the amendment in Part F in section 1 in the 3rd line (page 11, line 6 in
42 amendment) by striking out the following: "\$3,500,000" and inserting the following:
43 '\$4,500,000'

44 Amend the amendment striking out all of Part H and inserting the following:

PART H

Sec. H-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 \$4,000,000 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. H-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 preservation in accordance with the terms of this Part, including all costs associated with such acquisitions, except that use of the proceeds of these bonds is subject to the following conditions and requirements.

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

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

3. The bond funds expended for conservation, recreation, farmland and water access must be matched with at least \$6,500,000 \$2,650,000 in public and private contributions. Seventy percent of that amount must be in the form of cash or other tangible assets, including the value of land and real property interest acquired by or contributed to cooperating entities, as defined in Title 5, section 6201, subsection 2, when property interests have a direct relationship to the property proposed for protection, as determined by the Land for Maine's Future Board. The remaining 30% may be matching contributions and may include the value of project-related, in-kind contributions of goods and services to and by cooperating entities.

1 4. Of the bond proceeds allocated to the Land for Maine's Future Board, ~~\$1,000,000~~
2 \$450,000 must be made available to protect farmland in accordance with Title 5, section
3 6207.

4 5. Of the bond proceeds allocated to the Land for Maine's Future Board, ~~\$2,000,000~~
5 \$900,000 must be made available to protect working waterfront properties in accordance
6 with Public Law 2005, chapter 462, Part B, section 6.

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

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

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

14 **EXECUTIVE DEPARTMENT**

15
16 **State Planning Office**

17
18 **Land for Maine's Future Board**

19
20 Provides funds in order to leverage ~~\$6,500,000~~ \$2,650,000
21 ~~\$6,500,000~~ \$2,650,000 in other funds to be
22 used for the acquisition of land and interest
23 in land for conservation; water access,
24 wildlife and fish habitat; outdoor
25 recreation, including hunting and fishing;
26 and farmland preservation.

27
28 Provides funds to be used for working ~~\$1,000,000~~ \$450,000
29 farmland preservation in order to leverage
30 ~~\$1,000,000~~ \$450,000 in other funds.

31
32 Provides funds to be used for working ~~\$2,000,000~~ \$900,000
33 waterfront preservation in order to leverage
34 ~~\$2,000,000~~ \$900,000 in other funds.

35
36 **DEPARTMENT OF CONSERVATION**

37
38 **Bureau of Parks and Lands**

39
40 Provides funds to preserve state parks and \$500,000
41 properties managed by the Department of
42 Conservation.

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

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 November 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 ~~\$10,000,000~~ \$4,000,000 bond issue to invest in land conservation and working waterfront preservation ~~and to preserve state parks~~ to be matched by ~~\$9,500,000~~ \$4,000,000 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 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 increases the amount of bonds authorized in Committee Amendment "A" for establishment of a teaching dental health clinic and decreases bond amounts previously authorized for the Land for Maine's Future Board and the Department of Conservation. This amendment removes authorization for bonds for transportation, and eliminates the increases in bonds for drinking water and wind energy.

FISCAL NOTE REQUIRED

(See attached)

SPONSORED BY: Richard A. Nuss

(Senator NASS, R.)

COUNTY: York



124th MAINE LEGISLATURE

LD 1826

LR 2648(18)

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

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

Sponsor: Sen. Nass of York

Fiscal Note Required: No

Fiscal Note

Bond Issues	Term (years)	Principal	Rate (%)	Interest	Total Cost
General Fund - Non-Taxable	10	(\$78,700,000)	4.0%	(\$17,314,000)	(\$96,014,000)
General Fund - Taxable	10	(\$6,300,000)	5.0%	(\$1,732,500)	(\$8,032,500)

Fiscal Detail and Notes

This amendment reduces bonds authorized by \$85,000,000 and changes the mix of existing bond requests going to the voters.