

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 1240

H.P. 931

House of Representatives, March 22, 2011

An Act To Authorize a General Fund Bond Issue To Reduce the Cost of Government through Energy Efficiency

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative FITTS of Pittsfield.
Cosponsored by Representatives: BERRY of Bowdoinham, CHAPMAN of Brooksville,
CRAY of Palmyra, CURTIS of Madison, FOSSEL of Alna, HINCK of Portland, RUSSELL of
Portland.

1 **Preamble.** Two thirds of both Houses of the Legislature deeming it necessary in
2 accordance with the Constitution of Maine, Article IX, Section 14 to authorize the
3 issuance of bonds on behalf of the State of Maine to provide funds as described in this
4 Act,

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

6 **Sec. 1. Authorization of bonds.** The Treasurer of State is authorized, under the
7 direction of the Governor, to issue bonds in the name and on behalf of the State in an
8 amount not exceeding \$90,000,000 for the purposes described in section 5 of this Act.
9 The bonds are a pledge of the full faith and credit of the State. The bonds may not run for
10 a period longer than 15 years from the date of the original issue of the bonds.

11 **Sec. 2. Records of bonds issued; Treasurer of State.** The Treasurer of State
12 shall ensure that an account of each bond is kept showing the number of the bond, the
13 name of the successful bidder to whom sold, the amount received for the bond, the date of
14 sale and the date when payable.

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

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

26 **Sec. 5. Disbursement of bond proceeds; allocations from General Fund**
27 **bond issue.** The proceeds of the sale of the bonds authorized under this Act must be
28 expended as designated in the following schedule under the direction and supervision of
29 the agencies and entities set forth in this section for efficiency improvements that the
30 Efficiency Maine Trust determines are cost effective and must be awarded in a
31 geographically equitable manner.

32 **EFFICIENCY MAINE TRUST**

33 Provides funds to make energy efficiency improvements to buildings owned or leased
34 by the State.

35
36 Total \$45,000,000

37 Provides funds to create a loan fund for energy efficiency improvements to buildings
38 owned or leased by cities, towns, special districts, counties, plantations and municipal

1 village corporations within the State, including any corporations owned entirely by
2 any of the aforementioned entities and providing water, sewer or electric service or
3 performing other essential governmental functions.

4

5 Total \$45,000,000

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

9 **Sec. 7. Appropriation balances at year-end.** At the end of each fiscal year, all
10 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 the Office of the Treasurer of State to be used for the retirement of general
13 obligation bonds.

14 **Sec. 8. Bonds authorized but not issued.** Any bonds authorized but not issued
15 within 5 years of ratification of this Act are deauthorized and may not be issued, except
16 that the Legislature may, within 2 years after the expiration of that 5-year period, extend
17 the period for issuing any remaining unissued bonds for an additional amount of time not
18 to exceed 5 years.

19 **Sec. 9. Referendum for ratification; submission at election; form of**
20 **question; effective date.** This Act 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 Act by voting on the following question:

25 "Do you favor a \$90,000,000 bond issue to reduce the cost of running
26 state, county and municipal governments by investing in cost-effective
27 energy efficiency improvements to public buildings?"

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 Act, the
34 Governor shall proclaim the result without delay and this Act 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 Act necessary to carry out the purposes of this
38 referendum.

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SUMMARY

The funds provided by this bond issue, in the amount of \$90,000,000, will be used to lower the costs of government at all levels by funding cost-effective energy efficiency improvements to public buildings. Forty-five million dollars will fund cost-effective energy efficiency improvements to buildings owned or leased by the State, and \$45,000,000 will be placed in a loan fund for cost-effective energy efficiency improvements to buildings owned or leased by municipal and county governments.