

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 108

H.P. 80

House of Representatives, January 22, 2015

An Act To Authorize a General Fund Bond Issue for Riverfront Community Development

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

A handwritten signature in cursive script, reading "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative SAUCIER of Presque Isle.
Cosponsored by Senator LIBBY of Androscoggin and
Representatives: BRYANT of Windham, FOWLE of Vassalboro, NADEAU of Winslow,
PIERCE of Falmouth, SCHNECK of Bangor, Senators: KATZ of Kennebec, SAVIELLO of
Franklin.

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 \$25,000,000 for the purposes described in section 6 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 10 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. Use of bonds.** Bond proceeds may be used for grants for investment in
27 economic revitalization, environmental enhancement and community betterment projects
28 along the clean and healthy rivers of the State in a fashion that preserves and enhances
29 economic activity, environmental protection and quality of life for the people of the State,
30 except that use of the proceeds is subject to the following conditions and requirements.

31 1. Any municipality abutting a river and any nonprofit corporation organized in
32 whole or in part for the purpose of waterfront economic development, environmental
33 enhancement and community development in the State may apply to the Department of
34 Economic and Community Development for funding from this grant program.

35 2. For a municipality-sponsored or nonprofit corporation-sponsored project to be
36 eligible to receive grant funding, the project must have as its purpose:

37 A. The development or restoration of public parks, walkways and other public spaces
38 along river corridors situated either in downtown, developed riverfront locations or
39 between and connecting 2 or more such locations;

B. The rehabilitation of degraded or dilapidated shorelines in downtown riverfront locations in a manner designed to encourage subsequent private development on or near those shorelines; or

C. The restoration of native fisheries and riverine ecosystems.

3. Proposed projects must demonstrate support from a broad range of public and private entities and the local community.

4. Eligible applications must include a commitment of \$2 in matching funds from other public or private sources for every one dollar in grant funding.

5. Grant funding may not be used to subsidize or support activities that are otherwise required of a party under applicable municipal, state or federal laws, including environmental and other health and safety laws, any license or permit condition or requirement or any mandated mitigation or remediation activity.

Sec. 6. Disbursement of bond proceeds from General Fund bond issue.

The proceeds of the sale of the bonds authorized under this Act must be expended as designated in the following schedule under the direction and supervision of the agencies and entities set forth in this section.

**ECONOMIC AND COMMUNITY
DEVELOPMENT, DEPARTMENT OF**

Provides funds to invest in economic revitalization, environmental enhancement and community betterment projects along the clean and healthy rivers of the State in a fashion that preserves and enhances economic activity, environmental protection and quality of life for the people of the State.

Total	\$25,000,000
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Sec. 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 Act.

Sec. 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 the Office of the Treasurer of State to be used for the retirement of general obligation bonds.

Sec. 9. Bonds authorized but not issued. Any bonds authorized but not issued within 5 years of ratification of this Act 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 for an additional amount of time not to exceed 5 years.

Sec. 10. Referendum for ratification; submission at election; form of question; effective date. This Act 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 Act by voting on the following question:

"Do you favor a \$25,000,000 bond issue to fund a grant program administered by the Department of Economic and Community Development to invest in economic, environmental and community development projects along rivers in Maine and to be matched by at least \$50,000,000 in private and public 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 Act, the Governor shall proclaim the result without delay and this Act 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 Act necessary to carry out the purposes of this referendum.

SUMMARY

The funds provided by this bond issue, in the amount of \$25,000,000, will be used to fund a grant program to invest in projects along the State's rivers that contribute to economic, environmental and community development and revitalization, promote economic activity, protect the environment and enhance quality of life for Maine people.