

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 1069

H.P. 738

House of Representatives, March 24, 2015

An Act To Authorize a General Fund Bond Issue To Upgrade Municipal Culverts at Stream Crossings

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 McCABE of Skowhegan.

Cosponsored by Senator DAVIS of Piscataquis and

Representatives: ALLEY of Beals, BABBIDGE of Kennebunk, BATES of Westbrook, BEAR of the Houlton Band of Maliseet Indians, BEAVERS of South Berwick, BLUME of York, BROOKS of Lewiston, BRYANT of Windham, BURSTEIN of Lincolnville, CHENETTE of Saco, COOPER of Yarmouth, DAUGHTRY of Brunswick, DAVITT of Hampden, DEVIN of Newcastle, DOORE of Augusta, DUCHESNE of Hudson, DUNPHY of Old Town, EVANGELOS of Friendship, FARNSWORTH of Portland, FOWLE of Vassalboro, FREDETTE of Newport, GIDEON of Freeport, GILBERT of Jay, GOLDEN of Lewiston, GRANT of Gardiner, HICKMAN of Winthrop, HOBBS of Saco, HOGAN of Old Orchard Beach, HUBBELL of Bar Harbor, JORGENSEN of Portland, KORNFIELD of Bangor, KUMIEGA of Deer Isle, LAJOIE of Lewiston, LONGSTAFF of Waterville, MARTIN of Eagle Lake, MASTRACCIO of Sanford, McCREIGHT of Harpswell, MONAGHAN of Cape Elizabeth, NADEAU of Winslow, PIERCE of Dresden, PIERCE of Falmouth, POWERS of Naples, ROTUNDO of Lewiston, RYKERSON of Kittery, SANBORN of Gorham, SAUCIER of Presque Isle, SCHNECK of Bangor, SHAW of Standish, STUCKEY of Portland, TEPLER of Topsham, TIPPING-SPITZ of Orono, VEROW of Brewer, WARREN of Hallowell, Senators: ALFOND of Cumberland, BREEN of Cumberland, DIAMOND of Cumberland, DILL of Penobscot, GERZOFKY of Cumberland, GRATWICK of Penobscot, HASKELL of Cumberland, HILL of York, JOHNSON of Lincoln, LANGLEY of Hancock, LIBBY of Androscoggin, MILLETT of Cumberland, MIRAMANT of Knox, PATRICK of Oxford, SAVIELLO of Franklin, WHITTEMORE of Somerset.

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 \$10,000,000 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 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. Disbursement of bond proceeds from General Fund bond issue.**
27 The proceeds of the sale of the bonds authorized under this Act must be expended as
28 designated in the following schedule under the direction and supervision of the agencies
29 and entities set forth in this section.

30 **ENVIRONMENTAL PROTECTION,**
31 **DEPARTMENT OF**

32 Provides funds for a competitive grant program that matches local funding for the
33 upgrade of municipal culverts at stream crossings in order to improve fish and
34 wildlife habitat and increase community safety.

35
36 Total \$10,000,000

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

Sec. 7. 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. 8. 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. 9. 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 \$10,000,000 bond issue to match local funding for the upgrade of municipal culverts at stream crossings in order to enhance and restore our rivers, streams, and fish and wildlife habitat; to allow communities to better prepare for extreme storms and floods; and to create jobs and vital public infrastructure?"

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 \$10,000,000, will be used for a competitive grant program that matches local funding for the upgrade of municipal culverts at stream crossings in order to improve fish and wildlife habitat and increase community safety.