

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 987

S.P. 318

In Senate, March 10, 2021

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**An Act To Authorize a General Fund Bond Issue for the Portland Harbor Commercial Revitalization Project's Confined Aquatic Disposal Cell and Dredging Projects**

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator CHIPMAN of Cumberland.  
Cosponsored by Representative ALLEY of Beals and  
Senator: MIRAMANT of Knox, Representatives: COREY of Windham, HARRINGTON of Sanford, RECKITT of South 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 issuance  
3 of bonds on behalf of the State of Maine to provide funds as described in this Act,

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

5           **Sec. 1. Authorization of bonds.** The Treasurer of State is authorized, under the  
6 direction of the Governor, to issue bonds in the name and on behalf of the State in an  
7 amount not exceeding \$28,000,000 for the purposes described in section 5 of this Act. The  
8 bonds are a pledge of the full faith and credit of the State. The bonds may not run for a  
9 period longer than 10 years from the date of the original issue of the bonds.

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

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

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

25           **Sec. 5. Disbursement of bond proceeds from General Fund bond issue.** The  
26 proceeds of the sale of the bonds authorized under this Act must be expended as designated  
27 in the following schedule under the direction and supervision of the agencies and entities  
28 set forth in this section.

29           **DEPARTMENT OF TRANSPORTATION**

30           Provides funding to construct a confined aquatic disposal cell within Portland Harbor  
31 and engage in a maintenance dredge of the marine facilities of Portland and South  
32 Portland in order to promote commercial economic growth, maintain the working  
33 waterfront and improve the sediment and water quality of the harbor, allowing the  
34 marine industry to continue to grow and support the State's economy.

35           Total \$28,000,000

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

39           **Sec. 7. Appropriation balances at year-end.** At the end of each fiscal year, all  
40 unencumbered appropriation balances representing state money carry forward. Bond  
41 proceeds that have not been expended within 10 years after the date of the sale of the bonds

1 lapse to the Office of the Treasurer of State to be used for the retirement of general  
2 obligation bonds.

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

8 **Sec. 9. Referendum for ratification; submission at election; form of**  
9 **question; effective date.** This Act must be submitted to the legal voters of the State at  
10 a statewide election held in the month of November following passage of this Act. The  
11 municipal officers of this State shall notify the inhabitants of their respective cities, towns  
12 and plantations to meet, in the manner prescribed by law for holding a statewide election,  
13 to vote on the acceptance or rejection of this Act by voting on the following question:

14 "Do you favor a \$28,000,000 bond issue to construct a confined aquatic  
15 disposal cell within Portland Harbor and engage in a maintenance dredge  
16 of the marine facilities of Portland and South Portland in order to promote  
17 commercial economic growth, maintain the working waterfront and  
18 improve the sediment and water quality of the harbor, allowing the marine  
19 industry to continue to grow and support the State's economy?"

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

28 The Secretary of State shall prepare and furnish to each city, town and plantation all  
29 ballots, returns and copies of this Act necessary to carry out the purposes of this  
30 referendum.

### 31 SUMMARY

32 The funds provided by this bond issue, in the amount of \$28,000,000, will be used to  
33 construct a confined aquatic disposal cell within Portland Harbor and engage in a  
34 maintenance dredge of the marine facilities of Portland and South Portland in order to  
35 promote commercial economic growth, maintain the working waterfront and improve the  
36 sediment and water quality of the harbor, allowing the marine industry to continue to grow  
37 and support the State's economy.