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

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

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

### **PART A**

**Sec. A-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 \$25,000,000 for the purposes described in section 7 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. A-2. Records of bonds issued kept by Treasurer of State.** The Treasurer of State shall keep an account of each bond showing the number of the bond, the name of the successful bidder to whom sold, the amount received for the bond, the date of sale and the date when payable.

**Sec. A-3. Sale; how negotiated; proceeds appropriated.** The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which must be held by the Treasurer of State and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Part. Any unencumbered balances remaining at the completion of the project in this Part lapse to the debt service account established for the retirement of these bonds.

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

**Sec. A-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 Department of Economic and Community Development.

**Sec. A-6. Use of bonds.** Bond proceeds may be used for grants for investment 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 the quality of life for Maine people, except that use of the proceeds is subject to the following conditions and requirements.

1. Any municipality abutting a river and any not-for-profit corporation organized in whole or in part for the purpose of waterfront economic, environmental enhancement and community development in the State may apply to the Department of Economic and Community Development for funding from this grant program.

2. For a municipality-sponsored or not-for-profit corporation-sponsored project to be eligible to receive grant funding, the project must have as its purpose:

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

B. 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 bond funds.

5. Bond funds 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. A-7. 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.

**DEPARTMENT OF ECONOMIC  
AND COMMUNITY DEVELOPMENT  
- RIVERFRONT COMMUNITY  
DEVELOPMENT PROGRAM**

\$25,000,000

Provides funds for the creation of a grant program 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 the quality of life for Maine people.

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

**Sec. A-9. 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 General Fund debt service.

**Sec. A-10. Bonds authorized but not issued.** Any bonds authorized but not issued, or for which bond anticipation notes are not issued within 5 years of ratification of this Part, 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 or bond anticipation notes for an additional amount of time not to exceed 5 years.

**Sec. A-11. 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 the month of November following the 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, 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 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.

## **PART B**

**Sec. B-1. Program established; administration.** The Riverfront Community Development Program, referred to in this Part as "the program," is established within the Department of Economic and Community Development to assist and encourage communities along Maine's rivers to revitalize their riverfronts in an environmentally sustainable manner and to promote river-oriented community development and enhancement projects. The department shall administer the program directly through the Municipal Investment Trust Fund to provide funding for the rehabilitation, revitalization and enhancement of riverfront communities and river ecosystems in the State.

**Sec. B-2. Review panel.** The Department of Economic and Community Development shall organize a review panel to advise the Commissioner of Economic and Community Development in the operation of the program, including without limitation evaluating applications and determining funding under the program. The panel consists of the Commissioner of Conservation and the Director of the State Planning Office within the Executive Department and 4 members of the public with expertise in the areas of: economic and community development, environmental conservation, tourism and ecotourism development and promotion and park and trail design and development.

**Sec. B-3. Selection criteria.** The Department of Economic and Community Development shall develop selection criteria with which to evaluate applications for funding under the program for investment in rivers and riverfront communities. The selection criteria must include, without limitation:

1. The economic significance of the proposed project to the immediate vicinity and in the State as a whole;
2. The level of compatibility with clean and healthy river ecosystems;
3. The value of the proposed project with respect to downtown revitalization;
4. The value of the proposed project with respect to environmental protection and ecological restoration;
5. The value of the proposed project with respect to recreational uses;
6. The degree of community support for the proposed investment; and
7. The extent that the proposed project involves partnerships and meets multiple criteria for benefits.

## 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 that contribute to economic, environmental and community development and revitalization along the State's rivers, promote economic activity, protect the environment and enhance the quality of life for Maine people.