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Date: (Filing No. S- )

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE**  
**SENATE**  
**132ND LEGISLATURE**  
**SECOND REGULAR SESSION**

SENATE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to H.P. 199, L.D. 299, “An Act to Support Investment in Agriculture”

Amend the amendment by striking out the substitute title and inserting the following:

**'An Act to Authorize a General Fund Bond Issue to Support Maine's Agricultural and Forestry Sectors and Expand Grant Eligibility Under the Farmers Drought Resilience Program Fund'**

Amend the amendment by inserting after the substitute title the following:

'Amend the bill by inserting before the enacting clause the following:

**'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 Part B of this Act,''

Amend the amendment by striking out all of sections 1 to 5 and inserting the following:

**'PART A**

**Sec. A-1. 7 MRSA §220-A, sub-§2,** as enacted by PL 2021, c. 729, §1, is amended to read:

**2. Eligibility.** A farmer in the State may apply for a grant under the program if the farmer needs to establish a source for irrigation water to alleviate the risk of crop losses, including hay, or livestock stress due to drought. The source for irrigation water must be sustainable, environmentally sound and affordable.

**Sec. A-2. 7 MRSA §320-C, sub-§2,** as enacted by PL 2021, c. 483, Pt. KK, §2, is amended to read:

**2. Membership.** The board consists of the commissioner or the commissioner's designee, the Commissioner of Economic and Community Development or the commissioner's designee and ~~15~~ 17 members appointed jointly by the commissioner and the Commissioner of Economic and Community Development as follows:

- A. One member of a statewide industry group representing conventional nondairy farming;

**SENATE AMENDMENT**

- 1 B. One member of a statewide industry group representing organic nondairy farming;
- 2 C. One member of a statewide industry group representing dairy producers;
- 3 D. One member of a statewide industry group representing the forest products
- 4 industry;
- 5 E. Two members from relevant financial institutions with experience in the
- 6 agricultural and forest products industries;
- 7 F. One manufacturer of forest products;
- 8 G. One manufacturer of value-added agricultural products or representative of the
- 9 value-added agricultural products industry;
- 10 H. Two members representing the supply chain in processing, manufacturing or
- 11 distribution;
- 12 I. One member actively engaged in providing marketing assistance, market
- 13 development or business and financial planning;
- 14 J. One member from a statewide group representing the logging and trucking industry;
- 15 K. One member who is a member of a federally recognized Indian nation, tribe or band
- 16 in this State; ~~and~~
- 17 L. Two members who represent historically underserved racial populations in nondairy
- 18 farming-;
- 19 M. One member who represents the farming or forestry industries in the State's rural
- 20 communities; and
- 21 N. One member who represents the potato industry in the State's rural communities.

22 Board membership must reflect a diversity of skills and experience relevant to investment  
23 in agricultural, food and forest products processing and manufacturing industries and  
24 represent the racial diversity of the food system in the State with specific representation by  
25 Indian tribes, communities of color and other underserved communities and populations.

## 26 PART B

27 **Sec. B-1. Authorization of bonds.** The Treasurer of State is authorized, under the  
28 direction of the Governor, to issue bonds in the name and on behalf of the State in an  
29 amount not exceeding \$45,000,000 for the purposes described in section 5 of this Part. The  
30 bonds are a pledge of the full faith and credit of the State. The bonds may not run for a  
31 period longer than 10 years from the date of the original issue of the bonds.

32 **Sec. B-2. Records of bonds issued; Treasurer of State.** The Treasurer of State  
33 shall ensure that an account of each bond is kept showing the number of the bond, the name  
34 of the successful bidder to whom sold, the amount received for the bond, the date of sale  
35 and the date when payable.

36 **Sec. B-3. Sale; how negotiated; proceeds appropriated.** The Treasurer of State  
37 may negotiate the sale of the bonds by direction of the Governor, but no bond may be  
38 loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the  
39 bonds, which must be held by the Treasurer of State and paid by the Treasurer of State  
40 upon warrants drawn by the State Controller, are appropriated solely for the purposes set

1 forth in this Part. Any unencumbered balances remaining at the completion of the project  
 2 in this Part lapse to the Office of the Treasurer of State to be used for the retirement of  
 3 general obligation bonds.

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

7 **Sec. B-5. Disbursement of bond proceeds from General Fund bond issue.**  
 8 The proceeds of the sale of the bonds authorized under this Part must be expended as  
 9 designated in the following schedule under the direction and supervision of the agencies  
 10 and entities set forth in this section.

11 **DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY**

12 **Maine Agriculture, Food and Forest Products Investment Fund**

13 Provides funds to strengthen the State's agricultural, food and forest products economy  
 14 and expand infrastructure investments in the agricultural, food and forest products  
 15 economy pursuant to the Maine Revised Statutes, Title 7, section 320-A.

16 Provides funds to support the activities of the fund as follows.

17	Forestry	\$12,000,000
18	Agriculture (other than dairy)	\$8,500,000
19	Dairy	\$4,000,000
20	Livestock	\$2,000,000
21	Total	\$26,500,000

22 **Farmers Drought Resilience Program Fund**

23 Provides funds to support the activities of the fund as follows.

24	Crops	\$2,000,000
25	Livestock stress	\$2,000,000
26	Total	\$4,000,000

27 **Maine Healthy Soils Fund**

28 Provides funds to support the activities of the fund.

29	Total	\$4,000,000
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30 **Maine Working Farmland Access and Protection Fund**

31 Provides funds to support the activities of the fund.

32	Total	\$5,000,000
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33 **FINANCE AUTHORITY OF MAINE**

34 **Dairy Improvement Fund**

35 Provides funds to support the activities of the fund.

36	Total	\$3,000,000
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37 **Improvements to Logging and Fishing Enterprises Loan Fund**

38 Provides funds to support the activities of the fund.

1 Total \$2,500,000

2 **Sec. B-6. Contingent upon ratification of bond issue.** Sections 1 to 5 of this  
3 Part do not become effective unless the people of the State ratify the issuance of the bonds  
4 as set forth in this Part.

5 **Sec. B-7. Appropriation balances at year-end.** At the end of each fiscal year,  
6 all unencumbered appropriation balances representing state money carry forward. Bond  
7 proceeds that have not been expended within 10 years after the date of the sale of the bonds  
8 lapse to the Office of the Treasurer of State to be used for the retirement of general  
9 obligation bonds.

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

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

21 "Do you favor a \$45,000,000 bond issue to support the agricultural and  
22 forestry sectors in Maine?"

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

31 The Secretary of State shall prepare and furnish to each city, town and plantation all  
32 ballots, returns and copies of this Part necessary to carry out the purposes of this  
33 referendum.

34 **Sec. B-10. Prohibition of financial benefit to Legislators and their**  
35 **associates.** Notwithstanding any provision of law to the contrary, any current or former  
36 member of the 132nd Legislature may not directly receive, solicit or retain any financial  
37 benefit derived from the proceeds of any funds authorized under this Part during the  
38 member's term in the 132nd Legislature or for 5 years following the date on which the  
39 member's term in the 132nd Legislature ends.

40 This prohibition applies whether the financial benefit described in this section is for  
41 the member's own benefit or for the benefit of any relative, household member, close  
42 economic association or associated organization of the member. For the purposes of this

1 section, "relative," "close economic association" and "associated organization" have the  
2 same meanings as in the Maine Revised Statutes, Title 1, section 1012.'

3 Amend the amendment by relettering or renumbering any nonconsecutive Part letter or  
4 section number to read consecutively.

5 **SUMMARY**

6 This amendment incorporates Senate Amendment "B" and prohibits any current or  
7 former member of the 132nd Legislature from directly receiving, soliciting or retaining any  
8 financial benefit derived from the proceeds of any funds authorized by this bond issue.

9 **SPONSORED BY:** \_\_\_\_\_

10 **(Senator STEWART, T.)**

11 **COUNTY: Aroostook**