

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 1306

6
7 H.P. 907

House of Representatives, April 12, 1985

8 Referred to the Committee on Appropriations and Financial Affairs. Sent
9 up for concurrence and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative McGowan of Canaan.

11 Cosponsored by Senator Brown of Washington and Senator Gill of
Cumberland.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Authorize a General Fund Bond Issue
18 in the Amount of \$12,000,000 for
19 Sewage Treatment and Water Quality
20 Improvement Facilities.
21

22 Preamble. Two thirds of both Houses of the Leg-
23 islature deeming it necessary in accordance with the
24 Constitution of Maine, Article IX, Section 14, to au-
25 thorize the issuance of bonds on behalf of the State
26 of Maine to provide funds for sewage treatment and
27 water quality improvement facilities.

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

30 Sec. 1. Authorization of bonds to provide for
31 sewage treatment and water quality improvement facili-
32 ties. The Treasurer of State is authorized, under
33 the direction of the Governor, to issue from time to
34 time registered bonds in the name and behalf of the
35 State to an amount not exceeding \$12,000,000 for the
36 purpose of raising funds to provide for sewage treat-

1 ment and water quality improvement facilities as au-
2 thorized by section 6. The bonds shall be deemed a
3 pledge of the full faith and credit of the State.
4 The bonds shall not run for a longer period than 20
5 years from the date of the original issue of the
6 bonds. Any issuance of bonds may contain a call fea-
7 ture at the discretion of the Treasurer of State with
8 the approval of the Governor.

9 **Sec. 2. Records of bonds issued to be kept by**
10 **the State Auditor and Treasurer of State.** The State
11 Auditor shall keep an account of the bonds, showing
12 the number and amount of each, the date when payable
13 and the date of delivery of the bonds to the Treasur-
14 er of State who shall keep an account of each bond
15 showing the number of the bond, the name of the suc-
16 cessful bidder to whom sold, the amount received for
17 the same, the date of sale and the date when payable.

18 **Sec. 3. Sale; how negotiated; proceeds appropri-**
19 **ated.** The Treasurer of State may negotiate the sale
20 of the bonds by direction of the Governor, but no
21 such bond may be loaned, pledged or hypothecated in
22 behalf of the State. The proceeds of the sale of the
23 bonds, which shall be held by the Treasurer of State
24 and paid by him upon warrants drawn by the State Con-
25 troller, are appropriated to be used solely for the
26 purposes set forth in this Act. Any unencumbered
27 balances remaining at the completion of the project
28 in section 6 shall lapse to the debt service account
29 established for the retirement of these bonds.

30 **Sec. 4. Interest and debt retirement.** Interest
31 due or accruing upon any bonds issued under this Act
32 and all sums coming due for payment of bonds at matu-
33 rity shall be paid by the Treasurer of State.

34 **Sec. 5. Disbursement of bonds proceeds.** The
35 proceeds of the bonds set out in section 6 shall be
36 expended under the direction and supervision of the
37 State Director of Public Improvements after consulta-
38 tion with the Commissioner of Environmental Protec-
39 tion.

40 **Sec. 6. Allocations from General Fund bond issue**
41 **- sewage treatment and water quality improvement fa-**
42 **cilities.** The proceeds of the sale of bonds shall be
43 expended as designated in the following schedule:

1 Sewage Treatment and Water Quality
2 Improvement Facilities \$12,000,000

3 Sec. 7. Contingent upon ratification of bond is-
4 sue. Sections 1 to 6 shall not become effective un-
5 less and until the people of the State have ratified
6 the issuance of bonds as set forth in this Act.

7 Sec. 8. Appropriation balances at year end. At
8 the end of each fiscal year, all unencumbered appro-
9 priation balances representing state money shall car-
10 ry forward from year to year. Bond proceeds which
11 have not been expended within 10 years after the date
12 of the sale of the bonds shall lapse to General Fund
13 debt service.

14 Sec. 9. Bonds authorized but not issued. Any
15 bonds authorized but not issued, or for which bond
16 anticipation notes have not been issued within 5
17 years of ratification of this Act, shall be
18 deauthorized and may not be issued, provided that the
19 Legislature may, within 2 years after the expiration
20 of that 5-year period, extend the period for issuing
21 any remaining unissued bonds or bond anticipation
22 notes for an additional amount of time not to exceed
23 5 years.

24 Sec. 10. Statutory referendum procedure; submis-
25 sion at statewide election; form of question; effec-
26 tive date. This Act shall be submitted to the legal
27 voters of the State of Maine at a statewide election
28 to be held on the Tuesday following the first Monday
29 of November following passage of this Act. The city
30 aldermen, town selectmen and plantation assessors of
31 this State shall notify the inhabitants of their re-
32 spective cities, towns and plantations to meet, in
33 the manner prescribed by law for holding a statewide
34 election, to vote on the acceptance or rejection of
35 this Act by voting on the following question:

36 "Do you favor a \$12,000,000 bond issue for con-
37 struction of sewage treatment and water quality im-
38 provement facilities in communities throughout the
39 State?"

40 The legal voters of each city, town and
41 plantation shall vote by ballot on this question, and

1 shall designate their choice by a cross or check mark
2 placed within a corresponding square below the word
3 "Yes" or "No." The ballots shall be received,
4 sorted, counted and declared in open ward, town and
5 plantation meetings and returns made to the Secretary
6 of State in the same manner as votes for members of
7 the Legislature. The Governor shall review the re-
8 turns and, if it appears that a majority of the legal
9 voters are in favor of the Act, the Governor shall
10 proclaim that fact without delay, and the Act shall
11 become effective 30 days after the date of the pro-
12 clamation.

13 The Secretary of State shall prepare and furnish
14 to each city, town and plantation all ballots, re-
15 turns and copies of this Act necessary to carry out
16 the purpose of this referendum.

17 STATEMENT OF FACT

18 The funds provided by this bond issue will be
19 used, in conjunction with required local participa-
20 tion, to match federal funds in order to continue
21 construction of sewage treatment and water quality
22 improvement facilities in communities throughout the
23 state in accordance with the Department of Environmen-
24 tal Protection's priority rating system. This system
25 considers water supply protection, shell fishery pro-
26 tection, nuisance conditions, fisheries protection
27 and facility needs.

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