

MAINE STATE LEGISLATURE

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1 authorize the issuance of bonds on behalf of the State
2 to investigate, abate, clean up and mitigate threats
3 to public health and the environment from uncontrolled
4 hazardous substance sites or other hazardous waste
5 discharges.

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

8 **Sec. 1. Issue of bonds to investigate, abate,**
9 **clean up and mitigate threats to public health and the**
10 **environment from uncontrolled hazardous substance**
11 **sites, solid waste landfills and residential and**
12 **commercial abandoned underground oil storage tanks.**
13 The Treasurer of State may, under the direction of the
14 Governor, issue from time to time registered bonds in
15 the name and behalf of the State to an amount not
16 exceeding \$13,000,000 for the purpose of raising funds
17 to provide for the following: \$5,000,000 for the
18 investigation, abatement, clean up and mitigation of
19 threats to public health and the environment from
20 uncontrolled hazardous substance sites or other
21 hazardous waste discharges; \$5,000,000 for the
22 remediation and closure of solid waste landfills,
23 including municipal and abandoned landfills;
24 \$2,000,000 for the removal of residential underground
25 oil storage tanks which have been identified by the
26 Department of Environmental Protection as leaking or
27 posing an environmental threat, limited to the removal
28 of tanks owned by low-income households or those which
29 have been abandoned; and \$1,000,000 for the removal of
30 commercial underground storage tanks which have been
31 identified by the department as leaking or posing an
32 environmental threat, limited to the removal of tanks
33 owned by businesses that consume the contents of the
34 tanks on the premises, schools, churches and other
35 nonprofit organizations, as authorized by section 6.
36 The bonds shall be deemed a pledge of the full faith
37 and credit of the State. The bonds shall not run for
38 a longer period than 10 years from the date of the
39 original issue of the bonds. Any issuance of bonds
40 may contain a call feature at the discretion of the

1 Treasurer of State with the approval of the Governor.

2 **Sec. 2.** Records of bonds issued to be kept by
3 the State Auditor and Treasurer of State. The State
4 Auditor shall keep an account of the bonds, showing
5 the number and amount of each, the date when payable
6 and the date of delivery of the bonds to the Treasurer
7 of State who shall keep an account of each bond
8 showing the number of the bond, the name of the
9 successful bidder to whom sold, the amount received
10 for, the same; the date of sale and the date when
11 payable.

12 **Sec. 3.** Sale; how negotiated; proceeds
13 appropriated. The Treasurer of State may negotiate
14 the sale of the bonds by direction of the Governor,
15 but no bond may be loaned, pledged or hypothecated on
16 behalf of the State. The proceeds of the sale of the
17 bonds, which shall be held by the Treasurer of State
18 and paid by him upon warrants drawn by the Governor,
19 are appropriated to be used solely for the purposes
20 set forth in this Act. Any unencumbered balances
21 remaining at the completion of the projects in section
22 6 shall lapse to the debt service account established
23 for the retirement of these bonds.

24 **Sec. 4.** Interest and debt retirement. Interest
25 due or accruing upon any bonds issued under this Act
26 and all sums coming due for payment of bonds at
27 maturity shall be paid by the Treasurer of State.

28 **Sec. 5.** Disbursement of bond proceeds. The
29 proceeds of the bonds set out in section 6 shall be
30 expended under the direction and supervision of the
31 Commissioner of Environmental Protection, the Maine
32 State Housing Authority and the Finance Authority of
33 Maine.

34 **Sec. 6.** Allocations from General Fund bond
35 issue; disbursement of hazardous waste bond proceeds;
36 remediation and closure of solid waste landfills;
37 disbursement of residential and commercial underground
38 oil storage tank bond proceeds. The proceeds of the

1 bonds identified in section 1 shall be expended as
2 designated in the following schedule.

3 1988-89

4 ENVIRONMENTAL PROTECTION,
5 DEPARTMENT OF

6 Investigation, abatement, \$ 5,000,000
7 clean up and mitigation of
8 threats to public health
9 and the environment from
10 uncontrolled hazardous
11 substance sites or other
12 hazardous waste discharges.

13 Remediation and closure \$ 5,000,000
14 of solid waste landfills,
15 including municipal and
16 abandoned landfills,
17 \$1,000,000 to the
18 Site Evaluation and
19 Planning Program and
20 \$4,000,000 to municipal
21 implementation grants.

22 DEPARTMENT OF ENVIRONMENTAL PROTECTION
23 TOTAL \$10,000,000

24 MAINE STATE HOUSING AUTHORITY

25 Removal of residential \$ 2,000,000
26 underground oil storage
27 tanks which have been
28 identified by the Department
29 of Environmental Protection
30 as leaking or posing an
31 environmental threat,
32 limited to the removal of
33 tanks owned by low-income
34 households or those which

1 have been abandoned.

2 FINANCE AUTHORITY OF MAINE

3 Removal of commercial \$ 1,000,000
4 underground oil storage
5 tanks which have been
6 identified by the
7 Department of Environmental
8 Protection as leaking or
9 posing an environmental
10 threat, limited to the
11 removal of tanks owned
12 by businesses that consume
13 the contents of the tanks
14 on the premises, schools,
15 churches and other nonprofit
16 organizations.

17 **Sec. 7. Contingent upon ratification of bond**
18 **issue. Sections 1 to 6 shall not become effective**
19 **unless and until the people of the State have ratified**
20 **the issuance of bonds as set forth in this Act.**

21 **Sec. 8. Appropriation balances at year end. At**
22 **the end of each fiscal year, all unencumbered**
23 **appropriation balances representing state money shall**
24 **carry forward from year to year. Bond proceeds which**
25 **have not been expended within 10 years after the date**
26 **of the sale of the bonds shall lapse to General Fund**
27 **debt service.**

28 **Sec. 9. Bond authorized but not issued. Any**
29 **bonds authorized but not issued, or for which bond**
30 **anticipation notes have not been issued within 5 years**
31 **of the ratification of this Act, shall be deauthorized**
32 **and may not be issued, provided that the Legislature**
33 **may, within 2 years after the expiration of the 5-year**
34 **period, extend the period for issuing any remaining**
35 **unissued bonds or bond anticipation notes for an**
36 **additional amount of time not to exceed 5 years.**

37 **Sec. 10. Statutory referendum procedure;**
38 **submission at general election; form of question;**

1 effective date. This Act shall be submitted to the
2 legal voters of the State of Maine at the next general
3 election in the month of November following passage of
4 this Act. The city aldermen, town selectmen and
5 plantation assessors of this State shall notify the
6 inhabitants of their respective cities, towns and
7 plantations to meet, in the manner prescribed by law
8 for holding a statewide election, to vote on the
9 acceptance or rejection of this Act by voting on the
10 following question:

11 "Do you favor a \$13,000,000 bond issue for the
12 investigation, abatement, cleanup and mitigation
13 of uncontrolled hazardous substance sites, for
14 cleaning up and closing solid waste landfills, and
15 for the removal of abandoned underground oil
16 storage tanks, all of which pose a hazard to
17 public health, the environment and ground water
18 quality?"

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

32 The Secretary of State shall prepare and furnish
33 to each city, town and plantation all ballots, returns
34 and copies of this Act necessary to carry out the
35 purpose of this referendum.

36 STATEMENT OF FACT

37 The original \$3,235,000 bond to investigate,
38 abate, clean up and mitigate threats to public health
39 and the environment from uncontrolled hazardous

1 substance sites, Private and Special Law 1983, chapter
2 99, will be depleted by the end of calendar year
3 1988. It is necessary to obtain another bond issue if
4 the Department of Environmental Protection is to
5 continue the uncontrolled hazardous substance sites
6 program and to provide a match for Federal Superfund
7 money. A \$5,000,000 bond issue is necessary because
8 the discovery of new hazardous waste sites in the past
9 2 years has dramatically increased the number of sites
10 to approximately 150.

11 Over 8,000 underground oil storage noncommercial
12 tanks have been identified by the Department of
13 Environmental Protection as substandard, leaking or
14 abandoned and which will require removal. The
15 \$2,000,000 bond issue will provide funds to remove
16 approximately 1,600 of those tanks which are owned by
17 low-income households or when viable responsible
18 parties cannot be identified to remove the tanks. An
19 additional \$1,000,000 bond issue will provide funds to
20 establish a low-interest loan program that assists the
21 owners of commercial businesses, schools, churches and
22 other nonprofit organizations with the removal of
23 underground oil storage tanks.

24 The \$5,000,000 provided for remediation and
25 closure of solid waste sites represents the 2nd
26 installment to this program, estimated last year to
27 require \$40,000,000. This \$5,000,000 bond will bring
28 the total, thus far provided to this program, to
29 \$13,000,000.

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