



114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 2464

S.P. 997

In Senate, March 29, 1990

Referred to the Committee on Appropriations and Financial Affairs and ordered printed. Sent down for concurrence.

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JOY J. O'BRIEN Secretary of the Senate

Presented by Senator CAHILL of Sagadahoc. Cosponsored by Representative HEPBURN of Skowhegan.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND NINETY

An Act to Authorize a General Fund Bond Issue in the Amount of \$10,000,000 for Construction of Water Pollution Control Facilities.



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 for construction of water pollution control facilities.

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

Sec. 1. Authorization of bonds to provide for construction of water 10 pollution control facilities. The Treasurer of State is authorized, under the direction of the Governor, to issue from time to time 12 registered bonds in the name and behalf of the State to an amount not exceeding \$10,000,000 for the purpose of raising funds to provide for water pollution control construction as authorized by 14 section 6. The bonds shall be deemed a pledge of the full faith The bonds shall not run for a longer 16 and credit of the State. period than 20 years from the date of the original issue of the Any issuance of bonds may contain a call feature at the 18 bonds. discretion of the Treasurer of State with the approval of the 20 Governor.

Sec. 2. Records of bonds issued to be kept by the State Auditor and Treasurer of State. The State Auditor shall keep an account of the bonds, showing the number and amount of each, the date when payable and the date of delivery of the bonds to the Treasurer of State who 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 same, the date of sale and the date when payable.

Sale; how negotiated; proceeds appropriated. Sec. 3. The 32 Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no bond may be loaned, pledged or 34 hypothecated on behalf of the State. The proceeds of the sale of the bonds, which shall be held by the Treasurer of State and paid 36 by the Treasurer of State upon warrants drawn by the State Controller, are appropriated to be used solely for the purposes set forth in this Act. Any unencumbered balances remaining at 38 the completion of the project in section 6 shall lapse to the 40 debt service account established for the retirement of these bonds. 42

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

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Sec. 5. Disbursement of bond proceeds. The proceeds of the bonds set out in section 6 shall be expended under the direction and supervision of the Commissioner of Environmental Protection.

Sec. 6. Allocations from General Fund bond issue; construction of water pollution control facilities. The proceeds of the sale of bonds shall be expended as designated in the following schedule.

Water Pollution Control Facilities Construction

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\$10,000,000

8 Sec. 7. Contingent upon ratification of bond issue. Sections 1 to 6 shall not become effective unless and until the people of the 10 State have ratified the issuance of bonds as set forth in this Act.

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

Sec. 9. Bonds authorized but not issued. Any bonds authorized but not issued, or for which bond anticipation notes have not been issued within 5 years of ratification of this Act, shall be deauthorized and may not be issued, provided 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.

28 Sec. 10. Referendum for ratification; submission at general election; form of question; effective date. This Act shall be submitted to the legal voters of the State of Maine at the next general election in the month of November following passage of this Act. The city 32 aldermen, town selectmen and plantation assessors of this State shall notify the inhabitants of their respective cities, towns 34 and plantations to meet, in the manner prescribed by law for holding a general election, to vote on the acceptance or 36 rejection of this Act by voting on the following question:

38 "Do you favor a \$10,000,000 bond issue for construction of water pollution control facilities?"

The legal voters of each city, town and plantation shall vote by ballot on this question and shall designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots shall 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 and, if it appears that a majority of the legal voters are in favor of the Act, the Governor shall proclaim that fact without delay, and the Act shall become effective 30 days after the date of the proclamation.

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

STATEMENT OF FACT

The funds provided by this bond issue, in the amount of \$10,000,000, will be used for construction of water pollution control facilities. The bond issue will provide dollars for combined sewer overflow projects, overboard discharge elimination, the small community program and the state revolving loan fund for wastewater treatment facilities.