

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

## SECOND REGULAR SESSION - 1990

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Legislative Document

No. 2468

H.P. 1798

House of Representatives, March 29, 1990

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative LORD of Waterboro.

Cosponsored by Senator COLLINS of Aroostook and Senator CARPENTER of York.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY

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**An Act to Authorize a General Fund Bond Issue in the Amount of \$3,000,000 to Investigate, Abate, Clean up and Mitigate Threats to the Public Health and the Environment from Uncontrolled Hazardous Substance Sites.**

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2           **Preamble.** Two thirds of both Houses of the Legislature  
3           deeming it necessary in accordance with the Constitution of  
4           Maine, Article IX, Section 14, to authorize the issuance of bonds  
5           on behalf of the State of Maine to provide funds to investigate,  
6           abate, clean up and mitigate threats to public health and the  
7           environment from uncontrolled hazardous substance sites or other  
8           hazardous waste discharges.

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

10           **Sec. 1. Authorization of bonds to provide for funds to investigate,**  
11           **abate, clean up and mitigate threats to public health and the environment**  
12           **from uncontrolled hazardous substance sites.** The Treasurer of State  
13           is authorized, under the direction of the Governor, to issue from  
14           time to time registered bonds in the name and behalf of the State  
15           to an amount not exceeding \$3,000,000 for the purpose of raising  
16           funds to investigate, abate, clean up and mitigate threats to  
17           public health and the environment from uncontrolled hazardous  
18           substance sites as authorized in section 6. The bonds shall be  
19           deemed a pledge of the full faith and credit of the State. The  
20           bonds shall not run for a longer period than 10 years from the  
21           date of the original issue of the bonds. Any issuance of bonds  
22           may contain a call feature at the discretion of the Treasurer of  
23           State with the approval of the Governor.

24           **Sec. 2. Records of bonds issued to be kept by the State Auditor and**  
25           **Treasurer of State.** The State Auditor shall keep an account of the  
26           bonds, showing the number and amount of each, the date when  
27           payable and the date of delivery of the bonds to the Treasurer of  
28           State who shall keep an account of each bond showing the number  
29           of the bond, the name of the successful bidder to whom sold, the  
30           amount received for the same, the date of sale and the date when  
31           payable.

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

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

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

6           **Sec. 6. Allocations from General Fund bond issue; disbursement of**  
7 **hazardous waste bond proceeds.** The proceeds of the sale of bonds  
8 shall be expended as designated in the following schedule.

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10           **ENVIRONMENTAL PROTECTION,**  
12 **DEPARTMENT OF**

14                   Investigation, abatement, clean up and                   \$3,000,000  
15                   mitigation of threats to public health  
16                   and the environment from uncontrolled  
17                   hazardous substance sites or other  
18                   hazardous waste discharges.

20           **Sec. 7. Contingent upon ratification of bond issue.** Sections 1 to  
21 6 shall not become effective unless and until the people of the  
22 State have ratified the issuance of bonds as set forth in this  
23 Act.

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

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

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

2 "Do you favor a \$3,000,000 bond issue for the investigation,  
abatement, clean up and mitigation of uncontrolled hazardous  
4 substance sites that pose a hazard to public health, the  
environment and ground water quality?"

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

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

22 **STATEMENT OF FACT**

24 The purpose of this bill is to provide funds necessary to  
address Maine's 200 uncontrolled hazardous substance sites. The  
26 funds provided by this bond issue, in the amount of \$3,000,000,  
will be used to investigate sites, remove and treat wastes and,  
28 when necessary, provide new drinking water supplies to affected  
individuals. This money will also be used for the state match at  
30 the federal Superfund sites in Maine.