

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1994

Legislative Document

No. 1890

H.P. 1392

House of Representatives, February 15, 1994

An Act to Authorize a General Fund Bond Issue in the Amount of \$14,000,000 to Construct Environmental Protection Facilities and to Investigate, Abate, Clean up and Mitigate Threats to the Public Health and Environment from Uncontrolled Hazardous Substances Sites.

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

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative ANDERSON of Woodland. (GOVERNOR'S BILL)
Cosponsored by Representative: GOULD of Greenville.

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 for the
6 construction of waste water treatment facilities and for the
7 investigation, abatement and mitigation of threats to the public
8 health and environment from uncontrolled hazardous substances
9 sites or other hazardous waste discharges.

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

12 **Sec. 1. Authorization of bonds to provide for construction of**
13 **environmental protection facilities.** The Treasurer of State is
14 authorized, under the direction of the Governor, to issue bonds
15 in the name and behalf of the State in an amount not exceeding
16 \$4,000,000 to raise funds for construction of waste water
17 treatment facilities and \$10,000,000 for the investigation,
18 abatement and mitigation of threats to the public health and
19 environment from uncontrolled hazardous substances sites or other
20 hazardous waste discharges as authorized by section 6. The bonds
21 are a pledge of the full faith and credit of the State. The
22 bonds may not run for a period longer than 10 years from the date
23 of the original issue of the bonds. At the discretion of the
24 Treasurer of State, with the approval of the Governor, any
25 issuance of bonds may contain a call feature.

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

31 **Sec. 3. Sale; how negotiated; proceeds appropriated.** The
32 Treasurer of State may negotiate the sale of the bonds by
33 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
35 the bonds, which must be held by the Treasurer of State and paid
36 by the Treasurer of State upon warrants drawn by the State
37 Controller, are appropriated solely for the purposes set forth in
38 this Act. Any unencumbered balances remaining at the completion
39 of the project in section 6 lapse to the debt service account
40 established for the retirement of these bonds.

41 **Sec. 4. Interest and debt retirement.** The Treasurer of State
42 shall pay interest due or accruing on any bonds issued under this
43 Act and all sums coming due for payment of bonds at maturity.

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

6 **Sec. 6. Allocations from General Fund bond issue.** The proceeds
of the sale of bonds must be expended as designated in the
8 following schedule.

	1994-95
12 ENVIRONMENTAL PROTECTION, 14 DEPARTMENT OF	
16 State Revolving Loan Fund for construction of waste water pollution control facilities	\$4,000,000
18 Investigation, abatement and mitigation of 20 threats to the public health and environment from uncontrolled hazardous substances sites or other hazardous waste discharges	10,000,000
22 DEPARTMENT OF ENVIRONMENTAL 24 PROTECTION 26 TOTAL	<hr/> \$14,000,000

28 **Sec. 7. Contingent upon ratification of bond issue.** Sections 1 to
6 do not become effective unless the people of the State have
30 ratified the issuance of bonds as set forth in this Act.

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

36 **Sec. 9. Bonds authorized but not issued.** Any bonds authorized
38 but not issued, or for which bond anticipation notes are not
issued within 5 years of ratification of this Act, are
40 deauthorized and may not be issued; except that the Legislature
may, within 2 years after the expiration of that 5-year period,
42 extend the period for issuing any remaining unissued bonds or
bond anticipation notes for an additional amount of time not to
44 exceed 5 years.

2 **Sec. 10. Referendum for ratification; submission at general election;**
 3 **form of question; effective date.** This Act must be submitted to the
 4 legal voters of the State of Maine at the next general election
 5 in the month of November following passage of this Act. The
 6 municipal officers of this State shall notify the inhabitants of
 7 their respective cities, towns and plantations to meet, in the
 8 manner prescribed by law for holding a general election, to vote
 9 on the acceptance or rejection of this Act by voting on the
 10 following question:

11 "Do you favor a \$14,000,000 bond issue for the following
 12 purposes: (1) Four million dollars for construction of
 13 local water pollution control facilities, providing the
 14 state match for \$20,000,000 in federal funds; and (2) Ten
 15 million dollars to provide for the investigation, abatement
 16 and mitigation of threats to the public health and
 17 environment from uncontrolled hazardous substances sites or
 18 other hazardous waste discharges?"

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

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

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 38 **STATEMENT OF FACT**

39 The funds provided by this bond issue, in the amount of
 40 \$14,000,000, will be used to raise funds for 2 types of
 41 environmental protection and public health projects. The bond
 42 issue will provide \$4,000,000 for the State Revolving Loan Fund,
 43 which will provide the 20% state match for an anticipated
 44 \$20,000,000 in federal grant funds. The bond issue will also
 45 provide \$10,000,000 to address Maine's active and potential
 46 uncontrolled hazardous substances sites. The funds will be used
 47 to investigate sites, remove and treat wastes and, when
 48 necessary, provide new drinking water supplies to affected

individuals and as state match at Federal Superfund sites in
Maine.

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This document has not yet been reviewed to determine the
need for cross-reference, stylistic and other technical
amendments to conform existing law to current drafting standards.

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