

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

SECOND REGULAR SESSION-1996

Legislative Document

No. 1849

S.P. 741

In Senate, March 13, 1996

An Act to Authorize a General Fund Bond Issue in the Amount of \$26,500,000 to Investigate, Abate, Clean up and Mitigate Hazardous Substance Discharges, to Clean Up Tire Stockpiles, to Construct Water Pollution Control Facilities, to Close and Clean Up Municipal Solid Waste Landfills and to Address Environmental Health Deficiencies in Drinking Water Supplies.

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

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator MICHAUD of Penobscot. (GOVERNOR'S BILL).
Cosponsored by Senator: LORD of York, Representatives: DEXTER of Kingfield, GOULD of Greenville.

2 **Preamble.** Two thirds of both Houses of the Legislature
4 deeming it necessary in accordance with the Constitution of
6 Maine, Article IX, Section 14, to authorize the issuance of bonds
8 on behalf of the State of Maine to provide funds to investigate,
10 abate, clean up and mitigate threats to public health and the
12 environment from hazardous substance discharges, to clean up tire
14 stockpiles, to construct water pollution control facilities, to
16 close and clean up municipal solid waste landfills and to address
18 environmental health deficiencies in drinking water supplies.

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

22 **Sec. 1. Authorization of bonds to provide for funds to investigate,**
24 **abate, clean up and mitigate threats to public health and the environment**
26 **from hazardous substance discharges, to clean up tire stockpiles, to**
28 **construct water pollution control facilities, to close and clean up municipal**
30 **solid waste landfills and to address environmental health deficiencies in**
32 **drinking water supplies.** The Treasurer of State is authorized,
34 under the direction of the Governor, to issue bonds in the name
36 and on behalf of the State in an amount not exceeding \$26,500,000
38 to raise funds to investigate, abate, clean up and mitigate
40 threats to public health and the environment from hazardous
42 substance discharges, to clean up tire stockpiles, to construct
44 water pollution control facilities, to close and clean up
46 municipal solid waste landfills and to address environmental
48 health deficiencies in drinking water supplies as authorized by
 section 6. The bonds are a pledge of the full faith and credit
 of the State. The bonds may not run for a period longer than 20
 years from the date of the original issue of the bonds. At the
 discretion of the Treasurer of State, with the approval of the
 Governor, any issuance of bonds may contain a call feature.

Sec. 2. Records of bonds issued to be kept by the Treasurer of State.

 The Treasurer of State 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 bond, the date of sale and the
 date when payable.

Sec. 3. Sale; how negotiated; proceeds appropriated. The

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

2 Address environmental health deficiencies 2,000,000
in drinking water supplies

4
6 **TOTAL ALLOCATIONS** \$26,500,000

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

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

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

26
28 **Sec. 10. Referendum for ratification; submission at general election;
form of question; effective date.** This Act must be submitted to the
legal voters of the State of Maine at the next general election
30 in the month of November following passage of this Act. The
municipal officers of this State shall notify the inhabitants of
32 their respective cities, towns and plantations to meet, in the
manner prescribed by law for holding a general election, to vote
34 on the acceptance or rejection of this Act by voting on the
following question:

36
38 "Do you favor a \$26,500,000 bond issue for the following
purposes: (1) \$2,500,000 to investigate, abate, clean up
and mitigate threats to the public health and the
40 environment from hazardous substance discharges; (2)
\$5,000,000 to protect the public health and safety and the
42 environment by providing funds for the cleanup of tire
stockpiles; (3) \$8,000,000 to construct water pollution
44 control facilities, providing the state match for
\$10,000,000 in federal funds; (4) \$9,000,000 to protect the
46 State's drinking water resources by granting funds to cities
and towns for the closure and cleanup of their solid waste
48 landfills; and (5) \$2,000,000 to address environmental
health deficiencies in drinking water supplies?"

2 The legal voters of each city, town and plantation shall
4 vote by ballot on this question and designate their choice by a
6 cross or check mark placed within a corresponding square below
8 the word "Yes" or "No." The ballots must be received, sorted,
10 counted and declared in open ward, town and plantation meetings
12 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 a majority of the legal votes are cast in
 favor of the Act, the Governor shall proclaim the result without
 delay, and the Act becomes effective 30 days after the date of
 the proclamation.

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

18

STATEMENT OF FACT

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 The funds provided by this bond issue, in the amount of
22 \$26,500,000, will be used for the following purposes:

24 1. \$2,500,000 to investigate, abate, clean up and mitigate
26 threats to the public health and the environment from hazardous
 substance discharges;

28 2. \$5,000,000 to clean up tire stockpiles to protect the
30 public health and safety and the environment and bond proceeds
 expended for that purpose only after all funds in the Tire
 Management Fund have been exhausted;

32

34 3. \$8,000,000 to construct water pollution control
 facilities;

36 4. \$9,000,000 to close and clean up municipal solid waste
 landfills; and

38

40 5. \$2,000,000 to address environmental health deficiencies
 in drinking water supplies.