

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

SECOND REGULAR SESSION-1996

Legislative Document

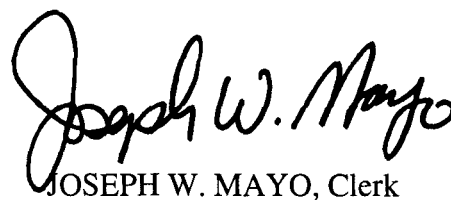
No. 1879

H.P. 1371

House of Representatives, March 26, 1996

An Act to Authorize a General Fund Bond Issue in the Amount of \$16,500,000 to Investigate, Abate and Clean Up Hazardous Substance Discharges, to Clean Up Tire Stockpiles and to Close and Clean up Municipal Solid Waste Landfills.

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


JOSEPH W. MAYO, Clerk

Presented by Representative SPEAR of Nobleboro. (GOVERNOR'S BILL)
Cosponsored by Senator: MICHAUD of Penobscot.

2 **Preamble.** Two thirds of both Houses of the Legislature
deeming it necessary in accordance with the Constitution of
4 Maine, Article IX, Section 14, to authorize the issuance of bonds
on behalf of the State of Maine to provide funds to investigate,
6 abate and clean up threats to public health and the environment
from hazardous substance discharges, to clean up tire stockpiles
and to close and clean up municipal solid waste landfills.

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

10 **Sec. 1. Authorization of bonds to provide funds to investigate, abate**
12 and clean up threats to public health and the environment from hazardous
14 substance discharges, to clean up tire stockpiles and to close and clean up
municipal solid waste landfills. The Treasurer of State is
authorized, under the direction of the Governor, to issue bonds
16 in the name and on behalf of the State in an amount not exceeding
\$16,500,000 to raise funds to investigate, abate and clean up
18 threats to public health and the environment from hazardous
substance discharges, to clean up tire stockpiles and to close
20 and clean up municipal solid waste landfills as authorized by
section 6. The bonds are a pledge of the full faith and credit
22 of the State. The bonds may not run for a period longer than 10
years from the date of the original issue of the bonds. At the
24 discretion of the Treasurer of State, with the approval of the
Governor, any issuance of bonds may contain a call feature.

26 **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
28 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
30 date when payable.

32 **Sec. 3. Sale; how negotiated; proceeds appropriated.** The
34 Treasurer of State may negotiate the sale of the bonds by
direction of the Governor, but no bond may be loaned, pledged or
36 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
38 by the Treasurer of State upon warrants drawn by the State
Controller, are appropriated solely for the following purposes:

40 1. The investigation, abatement, cleanup and mitigation of
42 threats to public health and the environment from hazardous
substance discharges;

44 2. The cleanup of tire stockpiles to protect the public
46 health and safety and the environment; the bond proceeds may only
be expended for activities that abate the public health, safety
48 and environmental hazards posed by stockpiles, encompassing

2 activities that reduce the number of stockpiled tires in the
State; and

4 3. The reimbursement for all outstanding municipal solid
waste landfill closure and remediation expenses. Remaining
6 proceeds must be allocated for municipal solid waste landfill
site evaluation and planning and a municipal grants program for
8 implementation of new landfill closure and clean-up plans.

10 Any unencumbered balances remaining at the completion of the
projects in section 6 lapse to the debt service account
12 established for the retirement of these bonds.

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

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

22 **Sec. 6. Allocations from General Fund bond issue; investigate, abate
24 and clean up hazardous substance discharges; clean up tire stockpiles;
close and clean up municipal solid waste landfills.** The proceeds of the
26 sale of bonds must be expended as designated in the following
schedule.

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32 **ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

34 Investigation, abatement, clean up and mitigation \$2,500,000
of threats to public health and the environment
36 from hazardous substance discharges

38 Clean up of tire stockpiles to protect the public 5,000,000
health and safety and the environment

40

42 Reimbursement for all outstanding municipal solid 9,000,000
waste landfill closure and remediation expenses.
44 Remaining proceeds to be allocated for municipal
solid waste landfill site evaluation and planning
46 and a municipal grants program for implementation of
new landfill closure and clean-up plans

48 **DEPARTMENT OF ENVIRONMENTAL
PROTECTION**

50 **TOTAL ALLOCATIONS** \$16,500,000

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

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

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

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

32 "Do you favor a \$16,500,000 bond issue for the following
32 purposes: (1) \$2,500,000 to investigate, abate and clean
34 up threats to the public health and the environment from
34 hazardous substance discharges; (2) \$5,000,000 to protect
36 the public health, safety and the environment by providing
36 funds for the cleanup of tire stockpiles; and (3)
38 \$9,000,000 to protect the State's drinking water resources
38 by granting funds to cities and towns for the closure and
40 cleanup of their solid waste landfills?"

42 The legal voters of each city, town and plantation shall
42 vote by ballot on this question and designate their choice by a
44 cross or check mark placed within a corresponding square below
44 the word "Yes" or "No." The ballots must be received, sorted,
46 counted and declared in open ward, town and plantation meetings
46 and returns made to the Secretary of State in the same manner as
48 votes for members of the Legislature. The Governor shall review
48 the returns and, if a majority of the legal votes are cast in
48 favor of the Act, the Governor shall proclaim the result without

2 delay, and the Act becomes effective 30 days after the date of
the proclamation.

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

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STATEMENT OF FACT

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12 This bill provides for a bond issue in the amount of
\$16,500,000 to be used for the following purposes:

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

18 2. To clean up tire stockpiles to protect the public
20 health, safety and the environment, \$5,000,000. Bond proceeds
may be expended only for activities that serve to reduce the
22 number of stockpiled tires in the State; and

24 3. To close and clean up municipal solid waste landfills,
\$9,000,000.

26 Bond proceeds may be expended only for these purposes,
28 pursuant to the Constitution of Maine, Article V, Part Third,
Section 5.