

MAINE STATE LEGISLATURE

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DATE: *May 20, 1997*

(Filing No. S-421)

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STATE OF MAINE
SENATE
118TH LEGISLATURE
FIRST SPECIAL SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 88, L.D. 268, Bill, "An Act to Authorize a General Fund Bond Issue in the Amount of \$20,000,000 for Landfill Closure and Remediation"

Amend the amendment by striking out the substitute title and replacing it with the following:

'An Act to Authorize 2 General Fund Bond Issues in the Amount of \$13,000,000 to Construct Water Pollution Control Facilities, to Close and Clean Up Municipal Solid Waste Landfills, to Clean Up Tire Stockpiles, to Mitigate Storm Water Pollution through a Comprehensive Watershed Protection Program and to Make Drinking Water Improvements'

Further amend the amendment by striking out everything after the title and before the summary and inserting in its place the following:

'Amend the bill by striking out everything after the title and before the enacting clause and inserting in its place the following:

'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 to construct water pollution control facilities, to clean up tire stockpiles and to make drinking water improvements and to provide funds to construct water pollution control facilities, waste landfills and to mitigate storm water pollution through a comprehensive watershed protection program.'

2 Further amend the bill by striking out everything after the
enacting clause and before the summary and inserting in its place
4 the following:

6 **PART A**

8 **Sec. A-1. Authorization of bonds to provide for funds to construct**
10 water pollution control facilities, to clean up tire stockpiles and to make
drinking water improvements. The Treasurer of State is
authorized, under the direction of the Governor, to issue bonds
12 in the name and on behalf of the State in an amount not exceeding
\$7,000,000 to raise funds to construct water pollution control
14 facilities, to clean up tire stockpiles and to make drinking
water improvements as authorized by section 6. The bonds are a
16 pledge of the full faith and credit of the State. The bonds may
not run for a period longer than 5 years from the date of the
18 original issue of the bonds. At the discretion of the Treasurer
of State, with the approval of the Governor, any issuance of
20 bonds may contain a call feature.

22 **Sec. A-2. Records of bonds issued to be kept by the Treasurer of**
State. The Treasurer of State shall keep an account of each bond
24 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
26 and the date when payable.

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

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

42 **Sec. A-5. Disbursement of bond proceeds.** The proceeds of the
44 bonds must be expended as set out in section 6 under the
direction and supervision of the Department of Environmental
46 Protection and the Department of Human Services.

48 **Sec. A-6. Allocations from General Fund bond issue; to construct**
water pollution control facilities, to clean up tire

2 stockpiles and make drinking water improvements. The proceeds of
the sale of bonds must be expended as designated in the following
4 schedule.

6 1997-98

8 ENVIRONMENTAL PROTECTION,
DEPARTMENT OF

10 Construction of water pollution control \$4,500,000
12 facilities to provide the state match
for \$12,500,000 in federal funds

14 Cleanup of tire stockpiles to protect \$2,000,000
16 the public health and safety and the
environment

18 HUMAN SERVICES, DEPARTMENT OF

20 Address environmental health deficiencies \$500,000
22 in drinking water supplies to provide
the state match for \$2,500,000 in
24 federal funds

26 TOTAL ALLOCATIONS \$7,000,000

28 Sec. A-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. A-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
36 lapse to General Fund debt service.

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

46 Sec. A-10. Referendum for ratification; submission at statewide
48 election; form of question; effective date. This Act must be submitted
to the legal voters of the State of Maine at a

statewide election held on the Tuesday following the first Monday
of November following passage of this Act. The municipal
officers of this State shall notify the inhabitants of their
respective cities, towns and plantations to meet, in the manner
prescribed by law for holding a statewide election, to vote on
the acceptance or rejection of this Act by voting on the
following question:

"Do you favor a \$7,000,000 bond issue, which will match
\$15,000,000 in federal funds, to construct water pollution
control facilities, to clean up tire stockpiles and to make
drinking water improvements?"

The legal voters of each city, town and plantation shall
vote by ballot on this question and designate their choice by a
cross or check mark placed within a corresponding square below
the word "Yes" or "No." The ballots must 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 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.

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.

PART B

**Sec. B-1. Authorization of bonds to provide for funds to construct
water pollution control facilities, to close and clean up municipal solid
waste landfills and to mitigate storm water pollution through a
comprehensive watershed protection program.** The Treasurer of State
is authorized, under the direction of the Governor, to issue
bonds in the name and on behalf of the State in an amount not
exceeding \$6,000,000 to raise funds to construct water pollution
control facilities, to close and clean up municipal solid waste
landfills, and to mitigate storm water pollution through a
comprehensive watershed protection program 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 5
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. B-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. B-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.

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

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

**Sec. B-6. Allocations from General Fund bond issue: to construct
water pollution control facilities, to close and clean up municipal solid
waste landfills and to mitigate storm water pollution through a
comprehensive watershed protection program.** The proceeds of the
sale of bonds must be expended as designated in the following
schedule.

1997-98

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

Construction of water pollution control facilities	\$1,000,000
Grants to municipalities to close and clean up solid waste landfills	\$4,500,000
Mitigation of storm water pollution through establishment of a comprehensive watershed protection program	\$500,000
TOTAL ALLOCATIONS	\$6,000,000

A. 6. 6.

2 **Sec. B-7. Contingent upon ratification of bond issue.** Sections 1
to 6 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. B-8. Appropriation balances at year end.** At the end of each
fiscal year, all unencumbered appropriation balances representing
8 state money carry forward. Bond proceeds that have not been
expended within 10 years after the date of the sale of the bonds
10 lapse to General Fund debt service.

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

20 **Sec. B-10. Referendum for ratification; submission at statewide**
22 election; form of question; effective date. This Act must be submitted
to the legal voters of the State of Maine at the June 1998
24 primary election following passage of this Act. The municipal
officers of this State shall notify the inhabitants of their
26 respective cities, towns and plantations to meet, in the manner
prescribed by law for holding a statewide election, to vote on
28 the acceptance or rejection of this Act by voting on the
following question:

30 "Do you favor a \$6,000,000 bond issue to construct water
32 pollution control facilities, to close and clean up
municipal solid waste landfills and to mitigate storm water
34 pollution through a comprehensive watershed protection
program?"

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

48 The Secretary of State shall prepare and furnish to each

E. 48

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 88, L.D. 268

2 city, town and plantation all ballots, returns and copies of this Act necessary to carry out the purpose of this referendum.'

4 Further amend the bill by inserting at the end before the summary the following:

8 **FISCAL NOTE**

10 The estimated cost of sending the bond issue in Part A of the bill out to referendum will vary according to the total number of referenda enacted during the First Special Session of the 118th Legislature to be submitted to the voters in November. 12 The estimated cost to the Secretary of State if one to 6 referenda are enacted is \$95,000. 14 Each additional referendum costs an additional \$7,000. 16

18 If approved by the voters, the total cost of this bond issue is estimated to be \$7,987,000 with principal payments of \$7,000,000 and interest payments of approximately \$987,000. 20

22 The estimated cost of sending the bond issue in Part B of the bill out to referendum will vary according to the total number of referenda enacted during the First Special Session and the Second Regular Session of the 118th Legislature that will be presented to the voters at the June 1998 primary election. 24 The estimated cost to the Secretary of State if one to 6 referenda are enacted is \$95,000. 26 Each additional referendum costs an additional \$7,000. 28 The Secretary of State's fiscal year 1997-98 budget does not include funding for June 1998 referendum questions. 30

32 If approved by the voters, the total cost of this bond issue is estimated to be \$6,846,000 with principal payments of \$6,000,000 and interest payments of approximately \$846,000.' 34

36 **SUMMARY**

38 This amendment segregates the \$13,000,000 bond issue into 2 parts: 40

42 1. Part A authorizes a \$7,000,000 bond issue to be presented to the voters in November 1997; and 44

46 2. Part B authorizes a \$6,000,000 bond issue to be presented to the voters in June 1998. 48

50 The funds provided in Part A will be used for the following purposes:

SENATE AMENDMENT

2 1. To construct water pollution control facilities, as a
4 match for \$12,500,000 in federal funds, \$4,500,000;

6 2. To clean up tire stockpiles that pose a threat to the
8 public health and safety and the environment, \$2,000,000; and


10 3. To address environmental health deficiencies in drinking
12 water supplies, as a match for \$2,500,000 in federal funds,
14 \$500,000.

16 The funds provided in Part B will be used for the following
18 purposes.

20 1. To construct water pollution control facilities,
22 \$1,000,000;

24 2. To close and clean up municipal solid waste landfills,
26 \$4,500,000; and

28 3. To mitigate storm water pollution through the
30 establishment of a comprehensive watershed protection program,
32 \$500,000.

SPONSORED BY: 
(Senator MICHAUD)

COUNTY: Penobscot