

# MAINE STATE LEGISLATURE

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DATE: June 20, 1997

(Filing No. S-444)

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STATE OF MAINE  
SENATE  
118TH LEGISLATURE  
FIRST SPECIAL SESSION

SENATE AMENDMENT "B" 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 bill by striking out the title and substituting the following:

'An Act to Authorize a General Fund Bond Issue 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 bill by striking out everything after the title and before the summary 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 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.

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

**Sec. 1. Authorization of bonds to provide for funds 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.** The Treasurer of State is authorized, under the

**SENATE AMENDMENT**

direction of the Governor, to issue bonds in the name and behalf of the State in an amount not exceeding \$13,000,000 to raise funds 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, 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.

**Sec. 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. 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 and the Department of Human Services.

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

1997-98

**ENVIRONMENTAL PROTECTION,  
DEPARTMENT OF**

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4           Construction of water pollution control           \$5,500,000  
5           facilities to provide the state match  
6           for \$12,500,000 in federal funds

8           Grants to municipalities to close and           \$4,500,000  
9           clean up solid waste landfills

10           Cleanup of tire stockpiles to protect           \$2,000,000  
11           the public health and safety and the  
12           environment

13           Mitigate storm water pollution through           \$500,000  
14           grants for capital improvements and purchase  
15           of tangible assets with useful lives greater  
16           than 10 years as part of a comprehensive  
17           watershed protection program

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**HUMAN SERVICES, DEPARTMENT OF**

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

28

**TOTAL ALLOCATIONS**

\$13,000,000

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31           **Sec. 7. Contingent upon ratification of bond issue.** Sections 1 to  
32           6 do not become effective unless the people of the State have  
33           ratified the issuance of bonds as set forth in this Act.

34

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

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

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51           **Sec. 10. Referendum for ratification; submission at statewide**  
52           **election; form of question; effective date.** This Act

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

2 must be submitted to the legal voters of the State of Maine at  
the next primary election in the month of June following passage  
4 of this Act. The municipal officers of this State shall notify  
the inhabitants of their respective cities, towns and plantations  
6 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:

8 "Do you favor a \$13,000,000 bond issue for the following  
10 purposes:

12 1. \$5,500,000 to construct water pollution control  
14 facilities, providing the state match for \$12,500,000 in  
federal funds;

16 2. \$4,500,000 to protect the State's drinking water  
18 resources by granting funds to cities and towns for the  
closure and cleanup of their solid waste landfills;

20 3. \$2,000,000 to protect the public health and safety and  
22 the environment by providing funds for the cleanup of tire  
stockpiles;

24 4. \$500,000 to mitigate storm water pollution as part of a  
26 comprehensive watershed protection program; and

28 5. \$500,000 to make drinking water improvements providing  
the state match for \$2,500,000 in federal funds?"

30 The legal voters of each city, town and plantation shall  
32 vote by ballot on this question and designate their choice by a  
cross or check mark placed within a corresponding square below  
34 the word "Yes" or "No." The ballots must be received, sorted,  
counted and declared in open ward, town and plantation meetings  
36 and returns made to the Secretary of State in the same manner as  
votes for members of the Legislature. The Governor shall review  
38 the returns and, if a majority of the legal votes are cast in  
40 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.

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

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

**FISCAL NOTE**

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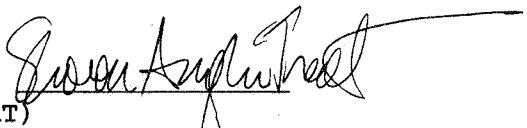
The estimated cost of sending this bond issue out to referendum will vary according to the total number of referenda enacted during the First Special Session and the Second Regular Session of the 118th Legislature that will be presented to the voters at the June 1998 primary election. The estimated cost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

If approved by the voters, the total cost of this bond issue is estimated to be \$16,646,500 with principal payments of \$13,000,000 and interest payments of approximately \$3,646,500.'

**SUMMARY**

The funds provided by this bond issue, in the amount of \$13,000,000, will be used for the following purposes:

1. \$5,500,000 to construct water pollution control facilities;
2. \$4,500,000 to close and clean up municipal solid waste landfills;
3. \$2,000,000 to clean up tire stockpiles, which pose a threat to the public health and safety and the environment;
4. \$500,000 to mitigate storm water pollution through establishment of a comprehensive watershed protection program; and
5. \$500,000 to make drinking water improvements.

SPONSORED BY:   
(Senator TREAT)

COUNTY: Kennebec