

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 609

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S.P. 191

In Senate, January 30, 1997

**Resolve, Concerning Reauthorization of the \$9,000,000 Bond Issue for  
Construction of Water Pollution Control Facilities.**

(EMERGENCY)

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Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.  
Reference to the Committee on Appropriations and Financial Affairs suggested and  
ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator MICHAUD of Penobscot.  
Cosponsored by Representatives: BERRY of Livermore, SHIAH of Bowdoinham.



2 November of 1990, pursuant to Private and Special Law 1989,  
chapter 130, for the construction of water pollution control  
4 facilities. The Constitution of Maine states that if any bonds  
have not been issued within 5 years of the date of ratification,  
6 those bonds may not be issued after that date. Within 2 years  
after that 5-year period, the Legislature may extend, by a  
8 majority vote, the 5-year period for an additional 5 years or may  
deauthorize the bonds. If the Legislature fails to take action  
10 within those 2 years, the bond issue is considered deauthorized  
and no further bonds may be issued.

12 Of the \$9,000,000 approved by the voters in 1990, \$2,400,000  
was specifically earmarked to address combined sewer overflow  
14 problems in a number of Maine communities, while \$500,000 was  
targeted for the removal of overboard discharges in various  
16 municipalities throughout the State. However, at present,  
\$500,000 of the bonds for these purposes remain unsold. This is  
18 because the Treasurer of State and the Department of  
Environmental Protection, in compliance with federal tax laws,  
20 seek to limit actual bond sales to the amount needed for current  
expenditures. In 1990, when the bond issue was proposed, the  
22 Department of Environmental Protection decided to put the total  
combined sewer overflow funds into engineering studies for  
24 communities to develop combined sewer overflow abatement  
solutions. Not all of the combined sewer overflow communities  
26 have currently begun preparing these engineering studies and, as  
a result, \$378,504 remains unencumbered for those communities  
28 that need to develop these studies but have not yet started the  
process. The remaining \$121,496 is for overboard discharge  
30 removals.

32 Therefore, in order to provide various towns and cities with  
the remaining \$500,000 in bond funds, the Legislature must  
34 reauthorize the 1990 water pollution control bond issue prior to  
the 2-year deadline specified in the Constitution of Maine and in  
36 the statutes, by November 1997.