

MAINE STATE LEGISLATURE

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7/4
R. 8/8

L.D. 2224

DATE: 4-8-98

(Filing No. H-1169)

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
SECOND SPECIAL SESSION**

COMMITTEE OF CONFERENCE AMENDMENT "A" to S.P. 826, L.D. 2224, Bill, "An Act to Authorize a General Fund Bond Issue in the Amount of \$16,000,000 to Construct Water Pollution Control Facilities; to Close and Clean Up Municipal Solid Waste Landfills; to Clean Up Tire Stockpiles; to Investigate, Abate, Clean Up and Mitigate Hazardous Substance Discharges; to Mitigate Storm Water Pollution through a Comprehensive Watershed Protection Program; and to Make Drinking Water System Improvements"

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 \$7,000,000 to Construct Water Pollution Control Facilities; to Clean Up Tire Stockpiles; to Investigate, Abate, Clean Up and Mitigate Hazardous Substance Discharges; and to Make Drinking Water System Improvements'

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 clean up tire stockpiles; to investigate, abate, clean up and mitigate hazardous substance discharges; and to make drinking water system improvements.

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

Sec. 1. Authorization of bonds to provide funds to construct water pollution control facilities; to clean up tire stockpiles; to investigate, abate,

CONFERENCE AMENDMENT

clean up and mitigate hazardous substance discharges; and to make drinking water system improvements. 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 \$7,000,000 to raise funds to construct water pollution control facilities; to clean up tire stockpiles; to investigate, abate, clean up and mitigate hazardous substance discharges; and to make drinking water system 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 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. 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 clean up tire stockpiles; to investigate, abate, clean up and mitigate hazardous substance discharges; and to make drinking water system improvements. The proceeds of the sale of bonds must be expended as designated in the following schedule.

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

2	Construction of water pollution control facilities providing the state match for \$10,000,000 in federal funds	\$3,350,000
4		
6	Cleanup of tire stockpiles to protect the public health and safety and the environment	\$1,000,000
8		
10	Investigation, abatement, cleanup and mitigation of threats to the public health and the environment from hazardous substance discharges	\$1,150,000
12	HUMAN SERVICES, DEPARTMENT OF	
14		
16	Construction of drinking water system improvements for public water supplies providing the state match for \$7,100,000 in federal funds	\$1,500,000
18		
20	TOTAL ALLOCATIONS	<u>\$7,000,000</u>

22 **Sec. 7. Contingent upon ratification of bond issue.** Sections 1 to
24 6 do not become effective unless the people of the State have
ratified the issuance of bonds as set forth in this Act.

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

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

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

R. 018
COMMITTEE OF CONFERENCE AMENDMENT "A" to S.P. 826, L.D. 2224

2 "Do you favor a \$7,000,000 bond issue for the following
purposes:

4 1. \$3,350,000 to construct water pollution control
6 facilities, providing the state match for \$10,000,000 in
federal funds;

8 2. \$1,000,000 to protect the public health and safety and
10 the environment by providing funds for the cleanup of tire
stockpiles;

12 3. \$1,150,000 to investigate, abate, clean up and mitigate
14 threats to the public health and the environment from
hazardous substance discharges; and

16 4. \$1,500,000 to construct drinking water system
18 improvements that address public health threats, providing
the state match for \$7,100,000 in federal funds?"

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

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

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

40 **FISCAL NOTE**

42 The estimated cost of sending this bond issue out to
44 referendum will vary according to the total number of referenda
enacted during the Second Regular and Second Special Sessions of
46 the 118th Legislature to be submitted to the voters in November.
The estimated cost to the Secretary of State if one to 6
48 referenda are enacted is \$95,000. Each additional referendum
costs an additional \$7,000.

2 If approved by the voters, the total cost of this bond issue
is estimated to be \$7,892,500 with principal payments of
4 \$7,000,000 and interest payments of approximately \$892,500.'

6 **SUMMARY**

8 This is the committee of conference report.

10 The funds provided by this bond issue, in the amount of
\$7,000,000, will be used for the following purposes:

12 1. \$3,350,000 to construct water pollution control
14 facilities, providing the state match for \$10,000,000 in federal
funds. Of this amount, \$2,000,000 will be used to construct
16 water pollution control facilities, \$850,000 will be used for the
State Revolving Loan Fund and \$500,000 for the Small Community
18 Grant Program;

20 2. \$1,000,000 to clean up tire stockpiles, which pose a
threat to the public health and safety and the environment;

22 3. \$1,150,000 to investigate, abate, clean up and mitigate
24 threats to the public health and the environment from hazardous
substance discharges; and

26 4. \$1,500,000 to address environmental health deficiencies
28 in public water supplies, providing the state match for
\$7,100,000 in federal funds.