

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

SECOND REGULAR SESSION-1998

Legislative Document

No. 2224

S.P. 826

In Senate, February 19, 1998

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.

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. (GOVERNOR'S BILL).
Cosponsored by Senator PARADIS of Aroostook, Representatives: COWGER of Hallowell,
KNEELAND of Easton.

2 **Preamble.** Two thirds of both Houses of the Legislature
4 deeming it necessary in accordance with the Constitution of
6 Maine, Article IX, Section 14, to authorize the issuance of bonds
8 on behalf of the State of Maine to provide funds to construct
10 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.

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

14 **Sec. 1. Authorization of bonds to provide funds to construct water**
16 **pollution control facilities; to close and clean up municipal solid waste**
18 **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. The Treasurer of State is
20 authorized, under the direction of the Governor, to issue bonds
22 in the name and on behalf of the State in an amount not exceeding
24 \$16,000,000 to raise funds to construct water pollution control
 facilities; to close and clean up municipal solid waste
 landfills; to clean up tire stockpiles; to investigate, abate,
26 clean up and mitigate hazardous substance discharges; to mitigate
 storm water pollution through a comprehensive watershed
 protection program; and to make drinking water system
28 improvements as authorized by section 6. The bonds are a pledge
30 of the full faith and credit of the State. The bonds may not run
32 for a period longer than 10 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.

34 **Sec. 2. Records of bonds issued to be kept by the Treasurer of State.**
36 The Treasurer of State shall keep an account of each bond showing
38 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.

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

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

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

10 **Sec. 6. Allocations from General Fund bond issue: to construct water**
 12 **pollution control facilities; to close and clean up municipal solid waste**
 14 **landfills; to clean up tire stockpiles; to investigate, abate, clean up and**
 16 **mitigate hazardous substance discharges; to mitigate storm water pollution**
 through a comprehensive watershed protection program; and to make
 drinking water system improvements. The proceeds of the sale of
 bonds must be expended as designated in the following schedule.

18 **ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

20 Construction of water pollution control facilities \$6,000,000
 22 providing the state match for \$10,000,000 in
 federal funds

24 Grants to municipalities to close and clean up \$3,500,000
 26 solid waste landfills

28 Cleanup of tire stockpiles to protect the \$1,500,000
 30 public health and safety and the environment

32 Investigation, abatement, cleanup and mitigation \$1,500,000
 of threats to the public health and the environment
 34 from hazardous substance discharges

36 Mitigation of storm water pollution through \$500,000
 38 establishment of a comprehensive watershed
 protection program

40 **HUMAN SERVICES, DEPARTMENT OF**

42 Construction of drinking water system \$3,000,000
 44 improvements for public water supplies
 providing the state match for \$15,000,000
 in federal funds

46 **TOTAL ALLOCATIONS** \$16,000,000

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

4
6 **Sec. 8. Appropriation balances at year-end.** At the end of each
fiscal year, all unencumbered appropriation balances representing
state money carry forward. Bond proceeds that have not been
8 expended within 10 years after the date of the sale of the bonds
lapse to General Fund debt service.

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

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

30 "Do you favor a \$16,000,000 bond issue for the following
purposes:

- 32 1. \$6,000,000 to construct water pollution control
34 facilities, providing the state match for \$10,000,000 in
federal funds;
- 36 2. \$3,500,000 to protect the State's drinking water
38 resources by granting funds to cities and towns for the
closure and cleanup of their solid waste landfills;
- 40 3. \$1,500,000 to protect the public health and safety and
42 the environment by providing funds for the cleanup of tire
stockpiles;
- 44 4. \$1,500,000 to investigate, abate, clean up and mitigate
46 threats to the public health and the environment from
hazardous substance discharges;
- 48

2 5. \$500,000 to mitigate storm water pollution as part of a
comprehensive watershed protection program; and

4 6. \$3,000,000 to construct drinking water system
6 improvements that address public health threats, providing
the state match for \$15,000,000 in federal funds?"

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

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

24 **SUMMARY**

26 The funds provided by this bond issue, in the amount of
\$16,000,000, will be used for the following purposes:

28 1. \$6,000,000 to construct water pollution control
30 facilities, providing the state match for \$10,000,000 in federal
funds;

32 2. \$3,500,000 to close and clean up municipal solid waste
34 landfills;

36 3. \$1,500,000 to clean up tire stockpiles, which pose a
threat to the public health and safety and the environment;

38 4. \$1,500,000 to investigate, abate, clean up and mitigate
40 threats to the public health and the environment from hazardous
substance discharges;

42 5. \$500,000 to mitigate storm water pollution through
44 establishment of a comprehensive watershed protection program; and

46 6. \$3,000,000 to address environmental health deficiencies
48 in public water supplies, providing the state match for
\$15,000,000 in federal funds.