

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 2107

S.P. 748

In Senate, March 30, 1999

**An Act to Authorize a General Fund Bond Issue in the Amount of
\$20,500,000 to Construct Water Pollution Control Facilities and Make
Other Environmental Improvements.**

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MICHAUD of Penobscot. (GOVERNOR'S BILL).
Cosponsored by Representative MARTIN of Eagle Lake and
Senator TREAT of Kennebec, Representatives: DUPLESSIE of Westbrook, KNEELAND of
Easton.

2 **Preamble.** Two thirds of both Houses of the Legislature
3 deeming it necessary in accordance with the Constitution of
4 Maine, Article IX, Section 14, to authorize the issuance of bonds
5 on behalf of the State of Maine to provide funds to construct
6 water pollution control facilities and make other environmental
7 improvements.

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

10 **Sec. 1. Authorization of bonds to provide funds to construct water
11 pollution control facilities and make other environmental improvements.**

12 The Treasurer of State is authorized, under the direction of the
13 Governor, to issue bonds in the name and on behalf of the State
14 in an amount not exceeding \$20,500,000 to raise funds to
15 construct water pollution control facilities; to close and clean
16 up municipal solid waste landfills; to clean up tire stockpiles;
17 to investigate, abate, clean up and mitigate threats to the
18 public health and environment from uncontrolled hazardous
19 substance sites or other hazardous waste discharges; to mitigate
20 storm water pollution through local road improvements; to control
21 polluted runoff; to extend sewer and water infrastructure; and to
22 make drinking water system improvements as authorized by section
23 6. The bonds are a pledge of the full faith and credit of the
24 State. The bonds may not run for a period longer than 10 years
25 from the date of the original issue of the bonds. At the
26 discretion of the Treasurer of State, with the approval of the
27 Governor, any issuance of bonds may contain a call feature.

28 **Sec. 2. Records of bonds issued to be kept by the Treasurer of State.**

29 The Treasurer of State shall keep an account of each bond showing
30 the number of the bond, the name of the successful bidder to whom
31 sold, the amount received for the bond, the date of sale and the
32 date when payable.

33 **Sec. 3. Sale; how negotiated; proceeds appropriated.**

34 The Treasurer of State may negotiate the sale of the bonds by
35 direction of the Governor, but no bond may be loaned, pledged or
36 hypothecated on behalf of the State. The proceeds of the sale of
37 the bonds, which must be held by the Treasurer of State and paid
38 by the Treasurer of State upon warrants drawn by the State
39 Controller, are appropriated solely for the purposes set forth in
40 this Act. Any unencumbered balances remaining at the completion
41 of the project in section 6 lapse to the debt service account
42 established for the retirement of these bonds.
43 established for the retirement of these bonds.

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

2 **Sec. 5. Disbursement of bond proceeds.** The proceeds of the
3 bonds must be expended as set out in section 6 under the
4 direction and supervision of the Department of Environmental
5 Protection, the Department of Human Services, the Department of
6 Agriculture, Food and Rural Resources and the State Planning
7 Office.

8
9 **Sec. 6. Allocations from General Fund bond issue; environmental**
10 **improvements.** The proceeds of the sale of bonds must be expended
11 as designated in the following schedule.

	2000-01
ENVIRONMENTAL PROTECTION, DEPARTMENT OF	
18 Construction of water pollution control 19 facilities providing the state match 20 for \$12,500,000 in federal funds.	\$7,000,000
22 Grants to municipalities to close and 23 clean up solid waste landfills.	\$3,500,000
24 Clean up tire stockpiles to protect 25 the public health and safety and the 26 environment.	\$2,500,000
28 Investigation, abatement, cleanup and 29 mitigation of threats to the public 30 health and environment from uncontrolled 31 hazardous substance sites or other hazardous 32 waste discharges.	\$1,500,000
34 Mitigation of storm water pollution 35 through local road improvements.	\$500,000
EXECUTIVE DEPARTMENT	
40 Extend sewer and water infrastructure.	\$3,000,000
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF	
44 Control polluted runoff.	\$1,000,000
HUMAN SERVICES, DEPARTMENT OF	
48 Construction of drinking water system 49 improvements for public water supplies	\$1,500,000

2 providing the state match for \$7,500,000
3 in federal funds.

4 **TOTAL ALLOCATIONS**

\$20,500,000

6 **Sec. 7. Contingent upon ratification of bond issue.** Sections 1 to
8 6 do not become effective unless the people of the State have
9 ratified the issuance of bonds as set forth in this Act.

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

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

26 **Sec. 10. Referendum for ratification; submission at statewide
27 election; form of question; effective date.** This Act must be submitted
28 to the legal voters of the State of Maine at a statewide election
29 held on the Tuesday following the first Monday of November
30 following passage of this Act. The municipal officers of this
31 State shall notify the inhabitants of their respective cities,
32 towns and plantations to meet, in the manner prescribed by law
33 for holding a statewide election, to vote on the acceptance or
34 rejection of this Act by voting on the following question:

36 "Do you favor a \$20,500,000 bond issue for the following
37 purposes:

38 (1) \$7,000,000 to construct water pollution control
40 facilities, providing the state match for \$12,500,000
41 in federal funds;

42 (2) \$3,500,000 to protect the State's drinking water
44 resources by granting funds to cities and towns for the
45 closure and cleanup of their solid waste landfills;

- 2 (3) \$2,500,000 to protect the public health, safety
and the environment by providing funds for the cleanup
4 of tire stockpiles;
- 6 (4) \$1,500,000 to investigate, abate, clean up and
8 mitigate threats to the public health and environment
from uncontrolled hazardous substance sites or other
hazardous waste discharges;
- 10 (5) \$500,000 to mitigate storm water pollution through
12 local road improvements;
- 14 (6) \$3,000,000 to make improvements to sewer and water
16 infrastructure that encourage efficient urban growth
and discourage development sprawl;
- 18 (7) \$1,500,000 to construct drinking water system
20 improvements that address public health threats,
providing the state match for \$7,500,000 in federal
funds; and
- 22 (8) \$1,000,000 to construct new or to retrofit
24 existing agricultural pollution control structures to
protect the environment?"

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

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

42 **SUMMARY**

44 The funds provided by this bond issue, in the amount of
46 \$20,500,000, will be used for the following purposes:

- 48 1. \$7,000,000 to construct water pollution control
50 facilities, providing the state match for \$12,500,000 in federal
funds;

2 2. \$3,500,000 to protect the State's drinking water
resources by granting funds to cities and towns for the closure
4 and cleanup of their solid waste landfills;

6 3. \$2,500,000 to protect the public health, safety and the
environment by providing funds for the cleanup of tire stockpiles;
8

10 4. \$1,500,000 to investigate, abate, clean up and mitigate
threats to the public health and environment from uncontrolled
hazardous substance sites or other hazardous waste discharges;
12

14 5. \$500,000 to mitigate storm water pollution through local
road improvements;

16 6. \$3,000,000 to make improvements to sewer and water
infrastructure that encourage efficient growth and discourage
18 development sprawl;

20 7. \$1,500,000 to construct drinking water system
improvements that address public health threats, providing the
22 state match for \$7,500,000 in federal funds; and

24 8. \$1,000,000 to construct new or to retrofit existing
agricultural pollution control structures to protect the
26 environment.