

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

SECOND REGULAR SESSION-2000

Legislative Document

No. 2616

H.P. 1881

House of Representatives, March 10, 2000

An Act to Authorize a General Fund Bond Issue in the Amount of \$17,250,000 to Construct Water Pollution Control Facilities, to Close and Clean Up Municipal Solid Waste Landfills, to Make Drinking Water System Improvements and to Construct New or Retrofit Existing Pollution Control Structures on Maine Farms to Protect the Environment.

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


JOSEPH W. MAYO, Clerk

Presented by Representative MARTIN of Eagle Lake. (GOVERNOR'S BILL)
Cosponsored by Senator TREAT of Kennebec.

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, to close and clean up
7 municipal solid waste landfills, to make drinking water system
8 improvements and to construct new or retrofit existing pollution
9 control structures on Maine farms to protect the environment.

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

12 **Sec. 1. Authorization of bonds to provide funds to construct water**
13 **pollution control facilities, to close and clean up municipal solid waste**
14 **landfills, to make drinking water system improvements and to construct**
15 **new or retrofit existing pollution control structures on Maine farms to**
16 **protect the environment.** The Treasurer of State is authorized,
17 under the direction of the Governor, to issue bonds in the name
18 and on behalf of the State in an amount not exceeding \$17,250,000
19 to raise funds to construct water pollution control facilities,
20 to close and clean up municipal solid waste landfills, to make
21 drinking water system improvements and to construct new or
22 retrofit existing pollution control structures on Maine farms to
23 protect the environment as authorized by section 6. The bonds
24 are a pledge of the full faith and credit of the State. The
25 bonds may not run for a period longer than 10 years from the date
26 of the original issue of the bonds. At the discretion of the
27 Treasurer of State, with the approval of the Governor, any
28 issuance of bonds may contain a call feature.

30 **Sec. 2. Records of bonds issued to be kept by the Treasurer of State.**
31 The Treasurer of State shall keep an account of each bond showing
32 the number of the bond, the name of the successful bidder to whom
33 sold, the amount received for the bond, the date of sale and the
34 date when payable.

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

46 **Sec. 4. Interest and debt retirement.** The Treasurer of State
47 shall pay interest due or accruing on any bonds issued
48

2 under this Act and all sums coming due for payment of bonds at
maturity.

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

10 **Sec. 6. Allocations from General Fund bond issue; to construct water**
pollution control facilities, to close and clean up municipal solid waste
landfills, to make drinking water system improvements and to construct
new or retrofit existing pollution control structures on Maine farms to
protect the environment. The proceeds of the sale of the bonds
12 must be expended as designated in the following schedule.
14

16 **2001-02**

18 **ENVIRONMENTAL PROTECTION,**
20 **DEPARTMENT OF**

22 Construction of water pollution control \$8,000,000
facilities providing the state match for
24 \$12,500,000 in federal funds.

26 Grants to municipalities to close and \$1,250,000
clean up solid waste landfills.
28

30 **HUMAN SERVICES,**
DEPARTMENT OF

32 Construction of drinking water system \$3,000,000
improvements for public water supplies
34 providing the state match for \$15,000,000
in federal funds.
36

38 **AGRICULTURE, FOOD AND RURAL**
RESOURCES, DEPARTMENT OF

40 Construction of new or retrofitting \$5,000,000
of existing manure pollution control
42 structures on Maine farms to comply
with state law. These state funds will
44 be matched with federal and private funds.

46 **TOTAL ALLOCATIONS** \$17,250,000

48 **Sec. 7. Contingent upon ratification of bond issue.** Sections 1 to
6 do not become effective unless the people of the

2 State have ratified the issuance of the bonds as set forth in
this Act.

4 **Sec. 8. Appropriation balances at year-end.** At the end of each
6 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
following question:

28 "Do you favor a \$17,250,000 bond issue for the following
30 purposes:

32 1. \$8,000,000 to construct water pollution control
34 facilities, providing the state match for \$12,500,000
in federal funds;

36 2. \$1,250,000 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. \$3,000,000 to construct drinking water system
42 improvements that address public health threats,
providing the state match for \$15,000,000 in federal
44 funds; and

46 4. \$5,000,000 to construct new or retrofit existing
pollution control structures on Maine farms to comply
48 with state law?"

50 The legal voters of each city, town and plantation shall
vote by ballot on this question and designate their choice by a

2 cross or check mark placed within a corresponding square below
the word "Yes" or "No." The ballots must be received, sorted,
4 counted and declared in open ward, town and plantation meetings
and returns made to the Secretary of State in the same manner as
6 votes for members of the Legislature. The Governor shall review
the returns and, if a majority of the legal votes are cast in
8 favor of this Act, the Governor shall proclaim the result without
delay, and this Act becomes effective 30 days after the date of
the proclamation.

10
12 The Secretary of State shall prepare and furnish to each
city, town and plantation all ballots, returns and copies of this
14 Act necessary to carry out the purpose of this referendum.

16 SUMMARY

18 The funds provided by this bond issue, in the amount of
\$17,250,000, will be used for the following purposes:

20 1. \$8,000,000 to construct water pollution control
22 facilities, providing the state match for \$12,500,000 in federal
funds;

24 2. \$1,250,000 to close and clean up municipal solid waste
landfills;

26 3. \$3,000,000 to address environmental health deficiencies
28 in public water supplies, providing the state match for
\$15,000,000 in federal funds; and

30 4. \$5,000,000 to construct new or retrofit existing
32 pollution control structures on Maine farms to protect the
environment.