

MAINE STATE LEGISLATURE

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L.D. 2120

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APPROPRIATIONS AND FINANCIAL AFFAIRS

Reported by:

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STATE OF MAINE
SENATE
120TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT *C* to S.P. 783, L.D. 2120, Bill, "An Act to Authorize a General Fund Bond Issue in the Amount of \$19,300,000 to Construct and Upgrade Water Pollution Control Facilities, to Remove Discharges, to Clean up Tire Stockpiles, to Clean up Uncontrolled Hazardous Substance Sites, to Remediate Solid Waste Landfills, to Make Drinking Water System Improvements, to Address Household Hazardous Wastes and to Promote Standardization and Use of Public Geographic Data"

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 \$24,300,000 to Improve Water Pollution Control, Remove Discharges, Clean up Hazardous Substance Sites, Remediate Solid Waste Landfills, Clean up Tire Stockpiles, Improve Drinking Water, Address Household Hazardous Wastes, Promote Public Geographic Data, Provide Pollution Control on Farms, Provide Water for Crops, Recapitalize Potato Marketing Improvement Fund and Address State Fish-rearing Facilities'

Further 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 and upgrade water pollution control facilities, to remove discharges, to clean up tire stockpiles, to clean up uncontrolled hazardous substance sites, to remediate solid waste landfills, to make drinking water system improvements, to address household

2 hazardous wastes, to promote standardization and use of public
3 geographic data, to construct new or retrofit existing pollution
4 control structures on Maine farms to protect the environment, to
5 construct environmentally sound water sources that help avoid
6 drought damage to crops, to recapitalize the Potato Marketing
7 Improvement Fund and to make renovations and enhance wastewater
8 treatment at the Department of Inland Fisheries and Wildlife's
9 fish-rearing facilities.

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

12
14

PART A

16 **Sec. A-1. Authorization of bonds to provide for funds to construct**
17 **and upgrade water pollution control facilities, to remove discharges, and to**
18 **make renovations and enhance wastewater treatment at the Department of**
19 **Inland Fisheries and Wildlife's fish-rearing facilities.** The Treasurer of
20 State is authorized, under the direction of the Governor, to
21 issue bonds in the name and on behalf of the State in an amount
22 not exceeding \$13,500,000, as authorized in section 6 of this
23 Part, to raise funds to construct and upgrade water pollution
24 control facilities, to remove discharges and to make renovations
25 and enhance wastewater treatment at the Department of Inland
26 Fisheries and Wildlife's fish-rearing facilities. The bonds are
27 a pledge of the full faith and credit of the State. The bonds
28 may not run for a period longer than 10 years from the date of
29 the original issue of the bonds. At the discretion of the
30 Treasurer of State, with the approval of the Governor, any
31 issuance of bonds may contain a call feature.

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

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

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

6 **Sec. A-5. Disbursement of bond proceeds.** The proceeds of the
bonds must be expended as set out in section 6 of this Part under
8 the direction and supervision of the Department of Environmental
Protection and the Department of Inland Fisheries and Wildlife.

10 **Sec. A-6. Allocations from General Fund bond issue; to construct and**
12 **upgrade water pollution control facilities, to remove discharges and to**
14 **make renovations and enhance wastewater treatment at the Department of**
16 **Inland Fisheries and Wildlife's fish-rearing facilities.** The proceeds of
the sale of the bonds must be expended as designated in the
following schedule.

18 **ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

20	Loans to construct and upgrade	\$5,500,000
	water pollution control facilities	
22	matched by \$12,500,000 in federal funds.	
24	Grants to municipalities, homeowners and	1,000,000
	businesses to remove overboard discharges.	

26 **INLAND FISHERIES AND WILDLIFE,**
28 **DEPARTMENT OF**

30	Renovations and enhancement of	7,000,000
	wastewater treatment at the Department	
32	of Inland Fisheries and Wildlife's	
	fish-rearing facilities.	

34 **TOTAL ALLOCATIONS** \$13,500,000

36 **Sec. A-7. Contingent upon ratification of bond issue.** Sections 1
38 to 6 of this Part do not become effective unless the people of
the State have ratified the issuance of the bonds as set forth in
40 this Part.

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

48 **Sec. A-9. Bonds authorized but not issued.** Any bonds authorized
but not issued, or for which bond anticipation notes

are not issued within 5 years of ratification of this Part, are deauthorized and may not be issued; except that the Legislature may, within 2 years after the expiration of that 5-year period, extend the period for issuing any remaining unissued bonds or bond anticipation notes for an additional amount of time not to exceed 5 years.

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

"Do you favor a \$13,500,000 bond issue for the following purposes:

1. The sum of \$5,500,000 to construct and upgrade water pollution control facilities, providing the state match for \$12,500,000 in federal funds;

2. The sum of \$1,000,000 to protect public health, safety and the environment by providing funds to remove overboard discharges; and

3. The sum of \$7,000,000 to make renovations and enhance wastewater treatment at the Department of Inland Fisheries and Wildlife's fish-rearing facilities?"

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

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

PART B

2 **Sec. B-1. Authorization of bonds to provide grants to municipalities**
3 **through the Small Communities Grants Program, to provide for funds to**
4 **clean up uncontrolled hazardous substance sites, to remediate solid waste**
5 **landfills, to clean up tire stockpiles, to make drinking water system**
6 **improvements, to develop public recycling and household hazardous waste**
7 **management infrastructure, to promote standardization and use of public**
8 **geographic data, to construct new or retrofit existing pollution control**
9 **structures on Maine farms to protect the environment, to construct**
10 **environmentally sound water sources that help avoid drought damage to**
11 **crops and to recapitalize the Potato Marketing Improvement Fund. The**
12 **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 \$10,800,000, as authorized under**
15 **section 6 of this Part, to raise funds to provide grants to**
16 **municipalities through the Small Communities Grants Program, to**
17 **clean up uncontrolled hazardous substance sites, to remediate**
18 **solid waste landfills, to clean up tire stockpiles, to make**
19 **drinking water system improvements, to develop public recycling**
20 **and household hazardous waste management infrastructure, to**
21 **promote standardization and use of public geographic data, to**
22 **construct new or retrofit existing pollution control structures**
23 **on Maine farms to protect the environment, to construct**
24 **environmentally sound water sources that help avoid drought**
25 **damage to crops and to recapitalize the Potato Marketing**
26 **Improvement Fund. The bonds are a pledge of the full faith and**
27 **credit of the State. The bonds may not run for a period longer**
28 **than 10 years from the date of the original issue of the bonds.**
29 **At the discretion of the Treasurer of State, with the approval of**
30 **the Governor, any issuance of bonds may contain a call feature.**

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

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

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

4 **Sec. B-5. Disbursement of bond proceeds.** The proceeds of the
6 bonds must be expended as set out in section 6 of this Part under
the direction and supervision of the Department of Environmental
8 Protection, the Department of Human Services, the Department of
Administrative and Financial Services, the State Planning Office
10 within the Executive Department and the Department of
Agriculture, Food and Rural Resources.

12 **Sec. B-6. Allocations from General Fund bond issue; to provide**
14 **grants to municipalities through the Small Communities Grants Program,**
16 **to clean up uncontrolled hazardous substance sites, to remediate solid waste**
18 **landfills, to make drinking water system improvements, to develop public**
20 **recycling and household hazardous waste management infrastructure, to**
22 **promote standardization and use of public geographic data, to construct**
new or retrofit existing pollution control structures on Maine farms to
protect the environment, to construct environmentally sound water sources
that help avoid drought damage to crops and to recapitalize the Potato
Marketing Improvement Fund. The proceeds of the sale of the
bonds must be expended as designated in the following schedule.

24 **ENVIRONMENTAL PROTECTION,**
26 **DEPARTMENT OF**

28	Grants to municipalities through the Small Communities Grants Program.	\$1,000,000
30		
32	Clean up uncontrolled hazardous substance sites.	1,000,000
34		
36	Remediate solid waste landfills.	500,000
	To clean up tire stockpiles	500,000

38 **HUMAN SERVICES, DEPARTMENT OF**

40	Grants and loans for public drinking water system improvements matched by \$6,000,000 in federal funds.	1,800,000
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44 **ADMINISTRATIVE AND FINANCIAL SERVICES,**
46 **DEPARTMENT OF**

COMMITTEE AMENDMENT "C" to S.P. 783, L.D. 2120

2 Establish an Internet-based Maine public 2,000,000
3 library of geographic data, improve
4 citizens' access to public geographic
5 data, make grants to municipalities and
6 participate in intergovernmental data
7 development agreement matched by
8 \$1,600,000 in federal funds.

9 **STATE PLANNING OFFICE**

10 Support public recycling capital investment. 600,000
11
12 Support household hazardous wastes 900,000
13 management infrastructure.
14

15 **AGRICULTURE, FOOD AND RURAL RESOURCES,
16 DEPARTMENT OF**

17 Construction of new or retrofitting 1,500,000
18 of existing manure pollution control
19 structures on Maine farms to comply
20 with Maine law. These state funds
21 will be matched with federal and
22 private funds.
23
24

25 Construction of environmentally sound 500,000
26 water sources that help avoid drought
27 damage to crops.
28

29 Recapitalize the Potato Marketing 500,000
30 Improvement Fund. These state funds
31 will match private funds and be used to
32 construct potato storage facilities.
33

34 **TOTAL ALLOCATIONS** \$10,800,000

35
36 **Sec. B-7. Contingent upon ratification of bond issue.** Sections 1
37 to 6 of this Part do not become effective unless the people of
38 the State have ratified the issuance of the bonds as set forth in
39 this Part.
40

41 **Sec. B-8. Appropriation balances at year-end.** At the end of each
42 fiscal year, all unencumbered appropriation balances representing
43 state money carry forward. Bond proceeds that have not been
44 expended within 10 years after the date of the sale of the bonds
45 lapse to General Fund debt service.
46

47 **Sec. B-9. Bonds authorized but not issued.** Any bonds authorized
48 but not issued, or for which bond anticipation notes are not
49 issued within 5 years of ratification of this Part, are
50

deauthorized and may not be issued; except that the Legislature may, within 2 years after the expiration of that 5-year period, extend the period for issuing any remaining unissued bonds or bond anticipation notes for an additional amount of time not to exceed 5 years.

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

"Do you favor a \$10,800,000 bond issue for the following purposes:

1. The sum of \$1,000,000 to protect public health, safety and the environment by providing funds to remove and replace failing septic systems;
2. The sum of \$1,000,000 to clean up uncontrolled hazardous substance sites;
3. The sum of \$500,000 to remediate solid waste landfills;
4. The sum of \$500,000 to clean up tire stockpiles;
5. The sum of \$1,800,000 to support drinking water system improvements that address public health threats, providing the state match for \$6,000,000 in federal funds;
6. The sum of \$2,000,000 to acquire the technology and services required to establish an Internet-based Maine public library of geographic data, to improve citizens' access to public geographic data, to make grants to municipalities for voluntary automation of parcel and zoning maps to uniform standards, to provide the state match for at least \$1,600,000 in federal funds and to participate in intergovernmental data development agreements;
7. The sum of \$1,500,000 to support household hazardous waste collection and public recycling;
8. The sum of \$1,500,000 to construct new or retrofit existing pollution control structures on Maine farms to protect the environment;

2 9. The sum of \$500,000 to construct environmentally sound
water sources that help avoid drought damage to crops; and

4 10. The sum of \$500,000 to recapitalize the Potato
Marketing Improvement Fund?"

6
8 The legal voters of each city, town and plantation shall
vote by ballot on this question and designate their choice by a
10 cross or check mark placed within a corresponding square below
the word "Yes" or "No." The ballots must be received, sorted,
12 counted and declared in open ward, town and plantation meetings
and returns made to the Secretary of State in the same manner as
14 votes for members of the Legislature. The Governor shall review
the returns and, if a majority of the legal votes are cast in
16 favor of this Part, the Governor shall proclaim the result
without delay, and this Part becomes effective 30 days after the
date of the proclamation.

18
20 The Secretary of State shall prepare and furnish to each
city, town and plantation all ballots, returns and copies of this
22 Part necessary to carry out the purpose of this referendum.'

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

26
28 **FISCAL NOTE**

30 This bill includes 2 referenda, one to be submitted to the
voters in June 2002 and one to be submitted to the voters in
32 November. The estimated cost of sending each of these referenda
requesting approval of a General Fund bond issue will vary
34 according to the total number of referenda enacted during the
Second Regular Session of the 120th Legislature to be submitted
to the voters in June and November. The estimated cost to the
36 Secretary of State if one to 6 referenda are enacted is \$121,392
for each of the elections. Each additional referendum above the
38 6 question threshold costs an additional \$8,000. The length of
the questions for these bond issues will reduce the number of
40 questions at each election before the threshold is reached.

42 If approved by the voters, the total costs of these bond
44 issues are estimated to be \$30,973,150 with principal payments of
\$24,300,000 and interest payments of approximately \$6,673,150.

46 The State Planning Office within the Executive Department,
48 the Department of Administrative and Financial Services, the
Department of Environmental Protection, the Department of Inland
50 Fisheries and Wildlife, the Department of Agriculture, Food and
Rural Resources and the Department of Human Services will incur

2 some minor additional costs to administer the proceeds from this
bond issue. These costs can be absorbed within the departments'
4 existing budgeted resources.'

6 **SUMMARY**

8 **PART A**

10 The funds provided for in Part A of this bond issue, to be
submitted to the voters in June, 2002, in the amount of
12 \$13,500,000 will be used for the following purposes:

14 1. The sum of \$5,500,000 to construct and upgrade water
pollution control facilities, providing the state match for
16 \$12,500,000 in federal funds;

18 2. The sum of \$1,000,000 to protect public health, safety
and the environment by providing funds to remove overboard
20 discharges; and

22 3. The sum of \$7,000,000 to make renovations and enhance
wastewater treatment at the Department of Inland Fisheries and
24 Wildlife's fish-rearing facilities.

26 **PART B**

28 The funds provided for in Part B of this bond issue, to be
submitted to the voters in November, 2002, in the amount of
30 \$10,800,000 will be used for the following purposes:

32 1. The sum of \$1,000,000 to protect public health, safety
and the environment by providing funds to remove and replace
34 failing septic systems;

36 2. The sum of \$1,000,000 to clean up uncontrolled hazardous
substance sites;

38 3. The sum of \$500,00 to remediate solid waste landfills;

40 4. The sum of \$500,000 to clean up tire stockpiles;

42 5. The sum of \$1,800,000 to support drinking water system
44 improvements that address public health threats, providing the
state match for \$6,000,000 in federal funds;

46 6. The sum of \$2,000,000 to acquire the technology and
48 services required to establish an Internet-based Maine public
library of geographic data, to improve citizens' access to public
50 geographic data, to make grants to municipalities for voluntary

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2 automation of parcel and zoning maps to uniform standards, to
3 provide the state match for at least \$1,600,000 in federal funds
4 and to participate in intergovernmental data development
5 agreements;

6 7. The sum of \$1,500,000 to support public recycling and
7 household hazardous wastes management infrastructure;

8 8. The sum of \$1,500,000 to construct new or retrofit
9 existing pollution control structures on Maine farms to protect
10 the environment;

11 9. The sum of \$500,000 to construct environmentally sound
12 water sources that help avoid drought damage to crops; and

13 10. The sum of \$500,000 to recapitalize the Potato
14 Marketing Improvement Fund.
15
16