

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 2121

S.P. 784

In Senate, February 20, 2002

An Act to Authorize a General Fund Bond Issue in the Amount of \$9,500,000 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, to Recapitalize the Potato Market Improvement Fund and to Make Renovations and Enhance Wastewater Treatment at the Department of Inland Fisheries and Wildlife's Fish-rearing Facilities.

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

A handwritten signature in cursive script that reads "Pamela L. Cahill".

PAMELA L. CAHILL
Secretary of the Senate

Presented by Senator MARTIN of Aroostook. (GOVERNOR'S BILL).
Cosponsored by Representative BRYANT of Dixfield and
Senators: CARPENTER of York, KILKELLY of Lincoln, KNEELAND of Aroostook,
WOODCOCK of Franklin, Representatives: BERRY of Livermore, DUNLAP of Old Town,
MATTHEWS of Winslow.

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 new
6 or retrofit existing pollution control structures on Maine farms
7 to protect the environment, to construct environmentally sound
8 water sources that help avoid drought damage to crops, to
9 recapitalize the Potato Market Improvement Fund and to make
10 renovations and enhance wastewater treatment at the Department of
11 Inland Fisheries and Wildlife's fish-rearing facilities.

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

14 **Sec. 1. Authorization of bonds to provide for funds to construct new**
15 **or retrofit existing pollution control structures on Maine farms to protect**
16 **the environment, to construct environmentally sound water sources that**
17 **help avoid drought damage to crops, to recapitalize the Potato Market**
18 **Improvement Fund and to make renovations and enhance wastewater**
19 **treatment at the Department of Inland Fisheries and Wildlife's fish-rearing**
20 **facilities.** The Treasurer of State is authorized, under the
21 direction of the Governor, to issue bonds in the name and on
22 behalf of the State in an amount not exceeding \$9,500,000 to
23 raise funds to construct new or retrofit existing pollution
24 control structures on Maine farms to protect the environment, to
25 construct environmentally sound water sources that help avoid
26 drought damage to crops, to recapitalize the Potato Market
27 Improvement Fund and to make renovations and enhance wastewater
28 treatment at the Department of Inland Fisheries and Wildlife's
29 fish-rearing facilities as authorized by section 6. The bonds
30 are a pledge of the full faith and credit of the State. The
31 bonds may not run for a period longer than 10 years from the date
32 of the original issue of the bonds. At the discretion of the
33 Treasurer of State, with the approval of the Governor, any
34 issuance of bonds may contain a call feature.

36 **Sec. 2. Records of bonds issued to be kept by the Treasurer of State.**
37 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
39 sold, the amount received for the bond, the date of sale and the
40 date when payable.

42 **Sec. 3. Sale; how negotiated; proceeds appropriated.** The
43 Treasurer of State may negotiate the sale of the bonds by
44 direction of the Governor, but no bond may be loaned, pledged or
45 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
47 by the Treasurer of State upon warrants drawn by the State
48 Controller, are appropriated solely for the purposes set forth in
49 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 Agriculture, Food and Rural Resources and the Department of Inland Fisheries and Wildlife.

Sec. 6. Allocations from General Fund bond issue; construct new or retrofit existing pollution control structures on Maine farms to protect the environment, construct environmentally sound water sources that help avoid drought damage to crops, recapitalize the Potato Market Improvement Fund and make renovations and enhance wastewater treatment at the Department of 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.

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Construction of new or retrofitting of existing manure pollution control structures on Maine farms to comply with Maine law. These state funds will be matched with federal and private funds.	\$1,500,000
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Construction of environmentally sound water sources that help avoid drought damage to crops.	\$500,000
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Recapitalize the Potato Market Improvement Fund. These state funds will match private funds and be used to construct potato storage facilities.	\$500,000
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INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Renovations and enhancement to wastewater treatment at the Department of Inland Fisheries and Wildlife's fish-rearing facilities.	\$7,000,000
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2 **TOTAL ALLOCATIONS**

\$9,500,000

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

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

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

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

32 "Do you favor a \$9,500,000 bond issue for the following
34 purposes:

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

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

42 3. The sum of \$500,000 to recapitalize the Potato Market
44 Improvement Fund; and

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

2 The legal voters of each city, town and plantation shall
vote by ballot on this question and designate their choice by a
4 cross or check mark placed within a corresponding square below
the word "Yes" or "No." The ballots must be received, sorted,
6 counted and declared in open ward, town and plantation meetings
and returns made to the Secretary of State in the same manner as
8 votes for members of the Legislature. The Governor shall review
the returns and, if a majority of the legal votes are cast in
10 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.

12

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

16

SUMMARY

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The funds provided by this bond issue, in the amount of
20 \$9,500,000, will be used for the following purposes:

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

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

28

30 3. The sum of \$500,000 to recapitalize the Potato Market
Improvement Fund; and

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