

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

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Legislative Document

No. 1569

S.P. 528

In Senate, April 14, 2003

**An Act To Authorize a General Fund Bond Issue in the Amount of \$16,800,000 To Construct and Upgrade Water Pollution Control Facilities, To Remediate Solid Waste Landfills, To Clean Up Uncontrolled Hazardous Substance Sites and To Make Drinking Water System Improvements**

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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 TREAT of Kennebec. (GOVERNOR'S BILL)  
Cosponsored by Representative COWGER of Hallowell and  
Senators: CARPENTER of York, DAVIS of Piscataquis, KNEELAND of Aroostook,  
MARTIN of Aroostook, Representatives: BULL of Freeport, KOFFMAN of Bar Harbor,  
LERMAN of Augusta, PIOTTI of Unity.

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

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

10           **Sec. 1. Authorization of bonds.** The Treasurer of State is  
authorized, under the direction of the Governor, to issue bonds  
12           in the name and on behalf of the State in an amount not exceeding  
\$16,800,000 to raise funds to construct and upgrade water  
14           pollution control facilities, to remediate solid waste landfills,  
to clean up uncontrolled hazardous substance sites and to make  
16           drinking water system improvements as authorized by this Act.  
The bonds are a pledge of the full faith and credit of the  
18           State. The bonds may not run for a period longer than 10 years  
from the date of the original issue of the bonds. At the  
20           discretion of the Treasurer of State, with the approval of the  
Governor, any issuance of bonds may contain a call feature.

22           **Sec. 2. Records of bonds issued kept by Treasurer of State.** The  
Treasurer of State shall keep an account of each bond showing the  
24           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  
26           date when payable.

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

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

42           **Sec. 5. Disbursement of bond proceeds.** The proceeds of the  
44           bonds must be expended as set out in this Act under the direction  
and supervision of the Department of Environmental Protection and  
46           the Department of Human Services.

2           **Sec. 6. Allocations from General Fund bond issue.** The proceeds  
of the sale of the bonds must be expended as designated in the  
following schedule.

4  
6           **ENVIRONMENTAL PROTECTION,**  
**DEPARTMENT OF** **2003-04**

8	Loans to construct and upgrade water	\$2,500,000
10	pollution control facilities matched	
	by \$12,500,000 in federal funds.	
12	Grants to construct water pollution	\$10,000,000
	control facilities.	
14		
16	Funds to clean up uncontrolled hazardous	\$2,150,000
	substance sites.	
18	Funds to remediate solid waste landfills.	\$350,000

20           **HUMAN SERVICES,**  
**DEPARTMENT OF**

22	Grants and loans for public drinking	\$1,800,000
24	water system improvements matched by	
	\$6,000,000 in federal funds.	
26		
28	<b>TOTAL ALLOCATIONS</b>	<u>\$16,800,000</u>

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

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

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

48           **Sec. 10. Referendum for ratification; submission at statewide**  
**election; form of question; effective date.** This Act must be submitted  
50 to the legal voters of the State at a statewide election held

2 on the Tuesday following the first Monday of November following  
3 passage of this Act. The municipal officers of this State shall  
4 notify the inhabitants of their respective cities, towns and  
5 plantations to meet, in the manner prescribed by law for holding  
6 a statewide election, to vote on the acceptance or rejection of  
7 this Act by voting on the following question:

8 "Do you favor a \$16,800,000 bond issue for the following  
9 purposes:

10

11 (1) The sum of \$2,500,000 to construct and upgrade water  
12 pollution control facilities, providing the state match for  
13 \$12,500,000 in federal funds;

14

15 (2) The sum of \$10,000,000 to provide grants to construct  
16 water pollution control facilities;

17

18 (3) The sum of \$2,150,000 to clean up uncontrolled  
19 hazardous substance sites;

20

21 (4) The sum of \$350,000 to remediate solid waste landfills;  
22 and

23

24 (5) The sum of \$1,800,000 to support drinking water system  
25 improvements that address public health threats, providing  
26 the state match for \$6,000,000 in federal funds?"

27

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

39

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

43

#### 44 SUMMARY

45

46 The funds provided by this bond issue, in the amount of  
47 \$16,800,000, will be used for the following purposes:

48

- 2           1. The sum of \$2,500,000 to construct and upgrade water  
pollution control facilities, providing the state match for  
\$12,500,000 in federal funds;
- 4
- 6           2. The sum of \$10,000,000 to provide grants to construct  
water pollution control facilities;
- 8           3. The sum of \$2,150,000 to clean up uncontrolled hazardous  
substance sites;
- 10
- 12          4. The sum of \$350,000 to remediate solid waste landfills;  
and
- 14          5. The sum of \$1,800,000 to support drinking water system  
improvements that address public health threats, providing the  
16 state match for \$6,000,000 in federal funds.