

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

SECOND SPECIAL SESSION-2004

Legislative Document

No. 1876

S.P. 724

In Senate, February 25, 2004

An Act To Authorize a General Fund Bond Issue in the Amount of \$16,600,000 To Construct and Upgrade Water Pollution Control Facilities, To Remediate Solid Waste Landfills, To Clean Up Uncontrolled Hazardous Substance Sites, To Provide Municipal Stormwater Management Assistance, To Investigate and Remediate Municipal Brownfields, To Construct and Upgrade Public Water Systems and To Remediate Lead Paint in Low-income Households

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 MARTIN of Aroostook. (GOVERNOR'S BILL)
Cosponsored by Representative KOFFMAN of Bar Harbor and
Senator: KNEELAND of Aroostook, Representatives: BENNETT of Caribou, COWGER of
Hallowell, FISCHER of Presque Isle, YOUNG of Limestone.

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 as described in
6 this Act,

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

8
9 **Sec. 1. Authorization of bonds.** The Treasurer of State is
10 authorized, under the direction of the Governor, to issue bonds
11 in the name and on behalf of the State in an amount not exceeding
12 \$16,600,000 for the purposes described in section 6 of this Act.
13 The bonds are a pledge of the full faith and credit of the
14 State. The bonds may not run for a period longer than 10 years
15 from the date of the original issue of the bonds. At the
16 discretion of the Treasurer of State, with the approval of the
17 Governor, any issuance of bonds may contain a call feature.

18
19 **Sec. 2. Records of bonds issued kept by Treasurer of State.** The
20 Treasurer of State shall keep an account of each bond showing the
21 number of the bond, the name of the successful bidder to whom
22 sold, the amount received for the bond, the date of sale and the
23 date when payable.

24
25 **Sec. 3. Sale; how negotiated; proceeds appropriated.** The
26 Treasurer of State may negotiate the sale of the bonds by
27 direction of the Governor, but no bond may be loaned, pledged or
28 hypothecated on behalf of the State. The proceeds of the sale of
29 the bonds, which must be held by the Treasurer of State and paid
30 by the Treasurer of State upon warrants drawn by the State
31 Controller, are appropriated solely for the purposes set forth in
32 this Act. Any unencumbered balances remaining at the completion
33 of the project in this Act lapse to the debt service account
34 established for the retirement of these bonds.

35
36 **Sec. 4. Interest and debt retirement.** The Treasurer of State
37 shall pay interest due or accruing on any bonds issued under this
38 Act and all sums coming due for payment of bonds at maturity.

39
40 **Sec. 5. Disbursement of bond proceeds.** The proceeds of the
41 bonds must be expended as set out in this Act under the direction
42 and supervision of the Department of Environmental Protection,
43 the Department of Human Services and the Maine State Housing
44 Authority.

45
46 **Sec. 6. Allocations from General Fund bond issue.** The proceeds
47 of the sale of the bonds authorized under this Act must be
48 expended as designated in the following schedule.

2 **ENVIRONMENTAL PROTECTION,**
3 **DEPARTMENT OF**

4 Grants to construct and upgrade water \$11,000,000
5 pollution control facilities matched by
6 \$12,500,000

8 Funds to abate, clean up and remediate 2,100,000
9 threats to public health and the
10 environment from uncontrolled hazardous
11 substance sites, landfills and municipal
12 brownfields.

14 Grants to assist urban municipalities in 500,000
15 complying with new federal stormwater
16 regulations.

18 **HUMAN SERVICES,**
19 **DEPARTMENT OF**

20 Grants and low-interest loans to construct 2,000,000
21 and upgrade public water systems matched
22 by \$10,000,000 in federal funds.

24 **MAINE STATE HOUSING**
25 **AUTHORITY**

28 Funds to remediate lead paint in low-income 1,000,000
29 households.

30 **TOTAL ALLOCATIONS** \$16,600,000

32 **Sec. 7. Contingent upon ratification of bond issue.** Sections 1 to
33 6 do not become effective unless the people of the State ratify
34 the issuance of the bonds as set forth in this Act.

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

42 **Sec. 9. Bonds authorized but not issued.** Any bonds authorized
43 but not issued, or for which bond anticipation notes are not
44 issued within 5 years of ratification of this Act, are
45 deauthorized and may not be issued, except that the Legislature
46 may, within 2 years after the expiration of that 5-year period,
47 extend the period for issuing any remaining unissued bonds or
48 bond anticipation notes for an additional amount of time not to
49 exceed 5 years.
50

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

12 "Do you favor a \$16,600,000 bond issue to be used for the
13 following purposes:

14 (1) The sum of \$11,000,000 to provide grants to
15 municipalities to assist in financing the construction
16 and upgrade of water pollution control facilities to
17 leverage an additional \$12,500,000 in federal funds;

18 (2) The sum of \$2,100,000 to abate, clean up and
19 remediate threats to public health and the environment
20 from uncontrolled hazardous substance sites, landfills
21 and municipal brownfields;

22 (3) The sum of \$500,000 to provide grants to assist
23 urban municipalities in complying with new federal
24 stormwater regulations;

25 (4) The sum of \$2,000,000 to construct and upgrade
26 public water systems to address public health threats
27 to leverage an additional \$10,000,000 in federal funds;
28 and

29 (5) The sum of \$1,000,000 to provide grants for lead
30 paint remediation in low-income households?"

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

42

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

4
6 **SUMMARY**

8 The funds provided by this bond issue, in the amount of
\$16,600,000, will be used for the following purposes:

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

14 2. The sum of \$2,100,000 to abate, clean up and remediate
threats to public health and the environment from uncontrolled
16 hazardous substance sites, landfills and municipal brownfields;

18 3. The sum of \$500,000 to provide grants to assist urban
municipalities in complying with new federal stormwater
20 regulations;

22 4. The sum of \$2,000,000 to construct and upgrade public
water systems to address public health threats, providing the
24 state match for \$10,000,000 in federal funds; and

26 5. The sum of \$1,000,000 to provide grants for lead paint
remediation in low-income households.
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