

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1001

S.P. 341

In Senate, February 24, 2005

An Act To Authorize a General Fund Bond Issue To Construct and Upgrade Water Pollution Control Facilities and Public Water Systems, Clean Up Uncontrolled Hazardous Substance Sites, Remove Hazardous Materials from Schools, Comply with Federal Storm Water Regulations, Make Public Water System Improvements, Replace Air Quality Monitoring Equipment, Establish Hospice Services, Repair State-owned Dams and Remediate Lead Paint

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 COWGER of Kennebec. (GOVERNOR'S BILL)
Cosponsored by Representative: KOFFMAN of Bar Harbor.

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
\$17,500,000 for the purposes described in section 6 of this Act.
14 The bonds are a pledge of the full faith and credit of the
State. The bonds may not run for a period longer than 10 years
16 from the date of the original issue of the bonds. At the
discretion of the Treasurer of State, with the approval of the
Governor, any issuance of bonds may contain a call feature.

18 **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
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
date when payable.

24 **Sec. 3. Sale; how negotiated; proceeds appropriated.** The
26 Treasurer of State may negotiate the sale of the bonds by
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
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
Controller, are appropriated solely for the purposes set forth in
32 this Act. Any unencumbered balances remaining at the completion
of the project in this Act lapse to the debt service account
34 established for the retirement of these bonds.

36 **Sec. 4. Interest and debt retirement.** The Treasurer of State
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.

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

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

2	ENVIRONMENTAL PROTECTION,	
	DEPARTMENT OF	
4		
6	Loans and grants to construct	\$6,600,000
8	and upgrade water pollution control	
	facilities matched by \$13,000,000 in	
	federal funds.	
10	Funds to abate, clean up and remediate	\$2,950,000
12	threats to public health and the	
14	environment from uncontrolled	
	hazardous substance sites and landfills	
	to match \$2,000,000 in federal funds.	
16	Funds to reduce threats to public	\$1,000,000
18	health and the environment by	
20	removing hazardous materials from	
	schools.	
22	Grants to match local money and	\$300,000
24	assist urban municipalities in	
	complying with new federal	
	storm water regulations.	
26	Funds to replace air quality monitoring	\$150,000
28	equipment to inform the public of air	
	quality emergencies.	
30	HEALTH AND HUMAN SERVICES, DEPARTMENT OF	
32	Grants and low-interest loans to	\$3,500,000
34	construct and upgrade public water	
36	systems matched by \$17,500,000 in	
	federal funds.	
38	Grants to build new hospices and	\$1,000,000
	establish hospice services statewide.	
40	INLAND FISHERIES & WILDLIFE,	
	DEPARTMENT OF	
42		
44	Funds to address critical safety	\$1,000,000
46	hazards by repairing state-owned	
	dams.	
48	MAINE STATE HOUSING AUTHORITY	
50	Funds to remediate lead paint in	\$1,000,000
	low-income households.	

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

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

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

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

30 "Do you favor a \$17,500,000 bond issue for the following
32 purposes:

34 (1) The sum of \$6,600,000 to construct and upgrade water
pollution control facilities, providing the state match for
36 \$13,000,000 in federal funds;

38 (2) The sum of \$2,950,000 to clean up uncontrolled
hazardous substance sites and landfills, providing the state
40 match for \$2,000,000 in federal funds;

42 (3) The sum of \$1,000,000 to remove hazardous materials
from schools;

44 (4) The sum of \$300,000 to match local money and assist
46 municipalities in complying with new federal storm water
regulations;

48

2 (5) The sum of \$150,000 to replace air quality monitoring
equipment to inform the public of air quality emergencies;

4 (6) The sum of \$3,500,000 to support public water system
improvements that address public health threats, providing
6 the state match for \$17,500,000 in federal funds;

8 (7) The sum of \$1,000,000 to build new hospices and
establish hospice services statewide;

10 (8) The sum of \$1,000,000 to address safety hazards by
12 repairing state-owned dams; and

14 (9) The sum of \$1,000,000 to remediate lead paint in
16 low-income households?"

18 The legal voters of each city, town and plantation shall
vote by ballot on this question and designate their choice by a
20 cross or check mark placed within a corresponding square below
the word "Yes" or "No." The ballots must be received, sorted,
22 counted and declared in open ward, town and plantation meetings
and returns made to the Secretary of State in the same manner as
24 votes for members of the Legislature. The Governor shall review
the returns and, if a majority of the legal votes are cast in
26 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.

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

32
34 **SUMMARY**

36 The funds provided by this bond issue, in the amount of
\$17,500,000, will be used for the following purposes:

38 1. The sum of \$6,600,000 to construct and upgrade water
40 pollution control facilities, providing the state match for
\$13,000,000 in federal funds;

42 2. The sum of \$2,950,000 to clean up uncontrolled hazardous
44 substance sites and landfills, providing the state match for
\$2,000,000 in federal funds;

46 3. The sum of \$1,000,000 to remove hazardous materials from
48 schools;

- 2 4. The sum of \$300,000 to match local money and assist
municipalities in complying with new federal storm water
regulations;
- 4
- 6 5. The sum of \$150,000 to replace air quality monitoring
equipment to inform the public of air quality emergencies;
- 8 6. The sum of \$3,500,000 to support public water system
improvements that address public health threats, providing the
10 state match for \$17,500,000 in federal funds;
- 12 7. The sum of \$1,000,000 to build new hospices and
establish hospice services statewide;
- 14
- 16 8. The sum of \$1,000,000 to address safety hazards by
repairing state-owned dams; and
- 18 9. The sum of \$1,000,000 to remediate lead paint in
low-income households.