

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1448

H.P. 1017

House of Representatives, March 15, 2007

An Act To Authorize a General Fund Bond Issue for Wastewater Treatment Facilities and Water Supply Facilities

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND

Clerk

Presented by Representative FLOOD of Winthrop.
Cosponsored by Senator McCORMICK of Kennebec and
Representatives: Speaker CUMMINGS of Portland, EMERY of Cutler, MAKAS of Lewiston,
MILLETT of Waterford, PIOTTI of Unity, TARDY of Newport, Senator: RAYE of
Washington.

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

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

6 **Sec. 1. Authorization of bonds.** The Treasurer of State is authorized, under the
7 direction of the Governor, to issue bonds in the name and on behalf of the State in an
8 amount not exceeding \$8,700,000 over 3 years for the purposes described in section 6 of
9 this Act. The bonds are a pledge of the full faith and credit of the State. The bonds may
10 not run for a period longer than 10 years from the date of the original issue of the bonds.
11 At the discretion of the Treasurer of State, with the approval of the Governor, any
12 issuance of bonds may contain a call feature.

13 **Sec. 2. Records of bonds issued kept by Treasurer of State.** The Treasurer
14 of State shall keep an account of each bond showing the number of the bond, the name of
15 the successful bidder to whom sold, the amount received for the bond, the date of sale and
16 the date when payable.

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

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

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

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

33 **DEPARTMENT OF HEALTH AND**
34 **HUMAN SERVICES**

35
36 Provides funds for the drinking water \$5,100,000
37 program in the department of \$1,700,000
38 over 3 years.
39

1 **DEPARTMENT OF**
2 **ENVIRONMENTAL PROTECTION**

3
4 Provides funds for wastewater treatment \$3,600,000
5 facilities of \$1,200,000 over 3 years.

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

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

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

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

26 "Do you favor an \$8,700,000 bond issue to be appropriated over 3 years
27 for drinking water programs and for wastewater treatment facilities?"

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

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

SUMMARY

1

2 The funds provided by this bond issue, in the amount of \$8,700,000, to be
3 appropriated over 3 years, will be used to fund drinking water programs and wastewater
4 treatment facilities.