

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1346

H.P. 968

House of Representatives, April 25, 1989

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

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative FOSS of Yarmouth.

Cosponsored by Senator PEARSON of Penobscot, Senator HOLLOWAY of Lincoln and Representative RIDLEY of Shapleigh.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

An Act to Authorize a General Fund Bond Issue in the Amount of \$3,000,000 to Protect Ground Water Quality and Public Health Through the Cleanup and Closure of Municipal and Abandoned Solid Waste Landfills.



1 **Preamble.** Two thirds of both Houses of the Legislature
3 deeming it necessary in accordance with the Constitution of
 Maine, Article IX, Section 14, to authorize the issuance of bonds
5 on behalf of the State of Maine to provide funds for the
 remediation and closure of solid waste landfills.

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

9 **Sec. 1. Authorization of bonds to provide for the remediation and**
 closure of solid waste landfills. The Treasurer of State is authorized,
11 under the direction of the Governor, to issue from time to time
 registered bonds in the name and behalf of the State to an amount
13 not exceeding \$3,000,000 for the purpose of raising funds to
 provide for the remediation and closure of solid waste landfills,
15 including municipal and abandoned landfills as authorized by
 section 6. The bonds shall be deemed a pledge of the full faith
17 and credit of the State. The bonds shall not run for a longer
 period than 5 years from the date of the original issue of the
19 bonds. Any issuance of bonds may contain a call feature at the
 discretion of the Treasurer of State with the approval of the
21 Governor.

23 **Sec. 2. Records of bonds issued to be kept by the State Auditor and**
 Treasurer of State. The State Auditor shall keep an account of the
25 bonds, showing the number and amount of each, the date when
 payable and the date of delivery of the bonds to the Treasurer of
27 State who shall keep an account of each bond showing the number
 of the bond, the name of the successful bidder to whom sold, the
29 amount received for the same, the date of sale and the date when
 payable.

31 **Sec. 3. Sale; how negotiated; proceeds appropriated.** The
33 Treasurer of State may negotiate the sale of the bonds by
 direction of the Governor, but no such bond may be loaned,
35 pledged or hypothecated in behalf of the State. The proceeds of
 the sale of the bonds, which shall be held by the Treasurer of
37 State and paid by the Treasurer of State upon warrants drawn by
 the State Controller, are appropriated to be used solely for the
39 purposes set forth in this Act. Any unencumbered balances
 remaining at the completion of the project in section 6 shall
41 lapse to the debt service account established for the retirement
 of these bonds.

43 **Sec. 4. Interest and debt retirement.** Interest due or accruing
45 upon any bonds issued under this Act and all sums coming due for
 payment of bonds at maturity shall be paid by the Treasurer of
47 State.

49 **Sec. 5. Disbursement of bond proceeds.** The proceeds of the
51 bonds set out in section 6 shall be expended under the direction
 and supervision of the Commissioner of Environmental Protection.

1 The legal voters of each city, town and plantation shall
2 vote by ballot on this question and shall designate their choice
3 by a cross or check mark placed within a corresponding square
4 below the word "Yes" or "No." The ballots shall be received,
5 sorted, counted and declared in open ward, town and plantation
6 meetings and returns made to the Secretary of State in the same
7 manner as votes for members of the Legislature. The Governor
8 shall review the returns and, if it appears that a majority of
9 the legal voters are in favor of the Act, the Governor shall
10 proclaim that fact without delay and the Act shall become
11 effective 30 days after the date of the proclamation.

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

17
STATEMENT OF FACT

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20 The funds provided by this bond issue, in the amount of
21 \$3,000,000, will be used for cleaning up and closing solid waste
22 landfills that pose a hazard to public health and to ground water
23 quality. To date, 2 bond issues totaling \$13,000,000 have been
24 approved by the voters for cleaning up and closing landfills. It
25 is expected that the amount requested will continue this program.