

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

---

Legislative Document

No. 268

---

S.P. 88

In Senate, January 21, 1997

**An Act to Authorize a General Fund Bond Issue in the Amount of  
\$20,000,000 for Landfill Closure and Remediation.**

---

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 MICHAUD of Penobscot.  
Cosponsored by Senator TREAT of Kennebec.

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 for the closure  
and remediation of municipal solid waste landfills and for the  
6           purchase of recycling equipment.

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

10           **Sec. 1. Authorization of bonds to provide for the closure and**  
**remediation of municipal solid waste landfills.** The Treasurer of State  
12           is authorized, under the direction of the Governor, to issue  
bonds in the name and behalf of the State in an amount not  
14           exceeding \$20,000,000 to raise funds for the closure and  
remediation of municipal solid waste landfills as authorized by  
16           section 6. The bonds are a pledge of the full faith and credit  
of the State. The bonds may not run for a period longer than 5  
18           years from the date of the original issue of the bonds. At the  
discretion of the Treasurer of State, with the approval of the  
20           Governor, any issuance of bonds may contain a call feature.

22           **Sec. 2. Records of bonds issued to be kept by the Treasurer of State.**  
The Treasurer of State shall keep an account of each bond showing  
24           the 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 section 6 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 section 6 under the  
direction and supervision of the Department of Environmental  
46           Protection for the closure and remediation of municipal solid  
waste landfills.

48

2           **Sec. 6. Allocations from General Fund bond issue; closure and**  
3 **remediation of municipal solid waste landfills.** The proceeds of the  
4 sale of bonds must be expended as designated in the following  
5 schedule.

6           **ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

8	Site Evaluation and Planning Program	\$8,000,000
10	Municipal Implementation Grants Program	12,000,000
12	<b>TOTAL ALLOCATIONS</b>	<u>\$20,000,000</u>

14  
16           **Sec. 7. Contingent upon ratification of bond issue.** Sections 1 to  
17 6 do not become effective unless the people of the State have  
18 ratified the issuance of bonds as set forth in this Act.

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

26           **Sec. 9. Bonds authorized but not issued.** Any bonds authorized  
27 but not issued, or for which bond anticipation notes are not  
28 issued within 5 years of ratification of this Act, are  
29 deauthorized and may not be issued; except that the Legislature  
30 may, within 2 years after the expiration of that 5-year period,  
31 extend the period for issuing any remaining unissued bonds or  
32 bond anticipation notes for an additional amount of time not to  
33 exceed 5 years.

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

44           "Do you favor a \$20,000,000 bond issue to provide funds for  
45 the closure and remediation of municipal solid waste  
46 landfills?"

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

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

18

20

### SUMMARY

22

            This bill authorizes the issuance of a bond issue in the  
24          amount of \$20,000,000 to provide funds for the closure and  
            remediation of municipal solid waste landfills.