

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 677

H.P. 497

House of Representatives, March 7, 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 MICHAUD of East Millinocket.

Cosponsored by Representative McGOWAN of Canaan, Representative CARTER of Winslow and Representative DEXTER of Kingfield.

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 \$50,000,000 to Fund a Capital Grants Program to Solid Waste Regional Commissions and Municipalities to Invest in Recycling Equipment and Facilities.



1 **Preamble.** Two thirds of both Houses of the Legislature
2 deeming it necessary in accordance with the Constitution of
3 Maine, Article IX, Section 14, to authorize the issuance of bonds
4 on behalf of the State of Maine to provide funds for grants to
5 solid waste regional commissions and municipalities to pay for
6 the capital costs associated with purchasing recycling equipment
7 and facilities, pursuant to regional solid waste recycling and
8 management plans.

9
10 **Be it enacted by the People of the State of Maine as follows:**

11 **Sec. 1. Authorization of bonds to provide for fund grants to solid**
12 **waste regional commissions and municipalities to pay for the capital costs**
13 **associated with purchasing recycling equipment and facilities.** The
14 Treasurer of State is authorized, under the direction of the
15 Governor, to issue from time to time registered bonds in the name
16 and behalf of the State to an amount not exceeding \$50,000,000
17 for the purpose of raising funds to provide for grants to solid
18 waste regional commissions and municipalities to pay for the
19 capital costs associated with purchasing recycling equipment and
20 facilities as authorized by section 6. The bonds shall be deemed
21 a pledge of the full faith and credit of the State. The bonds
22 shall not run for a period longer than 20 years from the date of
23 the original issue of the bonds. Any issuance of bonds may
24 contain a call feature at the discretion of the Treasurer of
25 State with the approval of the Governor.

26
27 **Sec. 2. Records of bonds issued to be kept by the State Auditor and**
28 **Treasurer of State.** The State Auditor shall keep an account of the
29 bonds, showing the number and amount of each, the date when
30 payable and the date of delivery of the bonds to the Treasurer of
31 State who shall keep an account of each bond showing the number
32 of the bond, the name of the successful bidder to whom sold, the
33 amount received for the same, the date of sale and the date when
34 payable.

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

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

1
3 **Sec. 5. Disbursement of bond proceeds.** The proceeds of the
5 bonds set out in section 6 shall be expended under the direction
7 and supervision of the Commissioner of Environmental Protection.

9 **Sec. 6. Allocations from General Fund bond issue; fund grants to solid**
11 **waste regional commissions and municipalities to pay for the capital costs**
13 **associated with purchasing recycling equipment and facilities.** The
15 proceeds of the sale of bonds shall be expended as designated in
17 the following schedule.

19 To pay for the capital costs associated with purchasing
21 recycling equipment and facilities, \$50,000,000.

23 **Sec. 7. Contingent upon ratification of bond issue.** Sections 1 to 6
25 shall not become effective unless and until the people of the
27 State have ratified the issuance of bonds as set forth in this
29 Act.

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

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

51 **Sec. 10. Statutory referendum procedure; submission at statewide**
53 **election; form of question; effective date.** This Act shall be submitted
55 to the legal voters of the State of Maine at a statewide election
57 to be held on the Tuesday following the first Monday of November
59 following passage of this Act. The city aldermen, town selectmen
61 and plantation assessors of this State shall notify the
63 inhabitants of their respective cities, towns and plantations to
65 meet, in the manner prescribed by law for holding a statewide
67 election, to vote on the acceptance or rejection of this Act by
69 voting on the following question:

71 "Do you favor a \$50,000,000 bond issue to fund grants to
73 solid waste regional commissions and municipalities to pay
75 for the capital costs associated with purchasing recycling
77 equipment and facilities?"

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

19

STATEMENT OF FACT

21 The funds provided by this bond issue, in the amount of
22 \$50,000,000 will be used to fund grants to solid waste regional
23 commissions and municipalities to pay for the capital costs
associated with purchasing recycling equipment and facilities.