

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1277

H.P. 886

House of Representatives, March 25, 1991

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

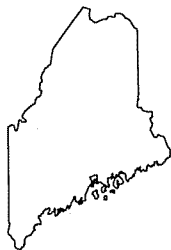
Presented by Representative TREAT of Gardiner.

Cosponsored by Senator KANY of Kennebec, Representative MICHAUD of East Millinocket and Representative LORD of Waterboro.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Authorize a General Fund Bond Issue in the Amount of \$10,000,000 to Fund a Capital Grants Program to Municipalities and Solid Waste Regional Commissions and Associations to Invest in Recycling Equipment and Facilities.



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

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

12 **Sec. 1. Authorization of bonds to provide for fund grants to**
13 **municipalities and solid waste regional commissions and associations to pay**
14 **for the capital costs associated with purchasing recycling equipment and**
15 **facilities.** The Treasurer of State is authorized, under the
16 direction of the Governor, to issue bonds in the name and behalf
17 of the State in an amount not exceeding \$10,000,000 to raise
18 funds for the purpose of providing for grants to municipalities
19 and solid waste regional commissions and associations to pay for
20 the capital costs associated with purchasing recycling equipment
21 and facilities as authorized by section 6. The bonds are a
22 pledge of the full faith and credit of the State. The bonds may
23 not run for a period longer than 20 years from the date of the
24 original issue of the bonds. At the discretion of the Treasurer
25 of State, with the approval of the Governor, any issuance of
26 bonds may contain a call feature.

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. The Treasurer of State shall keep an account of each bond
32 showing the number of the bond, the name of the successful bidder
33 to whom sold, the amount received for the bond, the date of sale
34 and the date when payable.

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

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

2 **Sec. 5. Disbursement of bond proceeds.** The proceeds of the
4 bonds must be expended as set out in section 6 under the
6 direction and supervision of the Executive Director of the Maine
Waste Management Agency, using the criteria set forth in the
Maine Revised Statutes, Title 38, section 2133.

8 **Sec. 6. Allocations from General Fund bond issue; fund grants to**
10 **municipalities and solid waste regional commissions and associations to pay**
12 **for the capital costs associated with purchasing recycling equipment and**
14 **facilities.** The proceeds of the sale of bonds must be expended by
the Maine Waste Management Agency as follows.

14 To pay for the capital costs associated with purchasing
16 recycling equipment and facilities, \$10,000,000.

18 **Sec. 7. Contingent upon ratification of bond issue.** Sections 1 to
20 6 do not become effective unless the people of the State have
ratified the issuance of bonds as set forth in this Act.

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

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

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

46 "Do you favor a \$10,000,000 bond issue to fund grants to
48 municipalities and solid waste regional commissions and
associations to pay for the capital costs associated with
50 purchasing recycling equipment and facilities?"

2 The legal voters of each city, town and plantation shall
vote by ballot on this question and designate their choice by a
4 cross or check mark placed within a corresponding square below
the word "Yes" or "No." The ballots must be received, sorted,
6 counted and declared in open ward, town and plantation meetings
and returns made to the Secretary of State in the same manner as
8 votes for members of the Legislature. The Governor shall review
the returns and, if a majority of the legal votes are cast in
10 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.

12
14 The Secretary of State shall prepare and furnish to each
city, town and plantation all ballots, returns and copies of this
16 Act necessary to carry out the purpose of this referendum.

18 **STATEMENT OF FACT**

20 The funds provided by this bond issue, in the amount of
\$10,000,000, will be used to fund grants to municipalities and
22 solid waste regional commissions and associations to pay for the
capital costs associated with purchasing recycling equipment and
24 facilities.