

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)



115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1973

H.P. 1384

House of Representatives, July 10, 1991

Reported by Representative MICHAUD from the Joint Standing Committee on Appropriations and Financial Affairs pursuant to Joint Order H.P. 51 and printed under Joint Rule 2.

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

EDWIN H. PERT, Clerk

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 for the Purchase of Recycling Equipment and Facilities and for the Remediation and Closure of Solid Waste Landfills.



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

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

10 PART A

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

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

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

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

50

2 **Sec. A-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 Department of Environmental
 Protection and the Maine Waste Management Agency to purchase
 recycling equipment and facilities and for the remediation and
 closure of solid waste landfills.

8 **Sec. A-6. Allocations from General Fund bond issue; purchase of**
 10 **recycling equipment and facilities and for the costs of remediation and**
 12 **closure of solid waste landfills.** The proceeds of the sale of bonds
 must be expended as designated in the following schedule.

	1991-92
ENVIRONMENTAL PROTECTION, DEPARTMENT OF	
18 Site Evaluation and Planning Program	\$2,100,000
20 Municipal Implementation Grants Program	2,900,000
22 DEPARTMENT OF ENVIRONMENTAL PROTECTION	
24 TOTAL	\$5,000,000
26 MAINE WASTE MANAGEMENT AGENCY	
28 Office of Waste Reduction and Recycling	
30 All Other	\$5,000,000
32 These funds will be used to 34 help municipalities and 36 regional associations with 38 the purchase of equipment and 40 construction costs for 42 recycling facilities through 44 grants and loans, including 46 revolving loans.	
TOTAL ALLOCATIONS	\$10,000,000

44 **Sec. A-7. Contingent upon ratification of bond issue.** Sections 1
 46 to 6 do not become effective unless the people of the State have
 ratified the issuance of bonds as set forth in this Part.

48 **Sec. A-8. Appropriation balances at year end.** At the end of each
 fiscal year, all unencumbered appropriation balances

2 representing state money carry forward. Bond proceeds that have
not been expended within 10 years after the date of the sale of
the bonds lapse to General Fund debt service.

4
6 **Sec. A-9. Bonds authorized but not issued.** Any bonds authorized
but not issued, or for which bond anticipation notes are not
issued within 5 years of ratification of this Part, are
8 deauthorized and may not be issued; except that the Legislature
may, within 2 years after the expiration of that 5-year period,
10 extend the period for issuing any remaining unissued bonds or
bond anticipation notes for an additional amount of time not to
12 exceed 5 years.

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

24 "Do you favor a \$10,000,000 bond issue to fund grants and
loans to municipalities and regional associations for
26 purchasing recycling equipment and facilities and for
cleaning up and closing solid waste landfills that pose a
28 hazard to public health and to ground water quality?"

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

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

46 **PART B**

48 **P&SL 1991, c. 46 is repealed.**

2

FISCAL NOTE

4

This bill creates no new additional general obligation debt or additional cost to the General Fund.

6

8

STATEMENT OF FACT

10

The purpose of this bill is to clarify the language of legislation authorizing a bond issue for the purchase of recycling equipment and facilities and for the closure of solid waste landfills. The language of Private and Special Law 1991, chapter 46 authorized the issuance of bonds to aid municipalities with the purchase of equipment and construction costs for solid waste disposal and recycling facilities. This bill repeals that legislation, and authorizes the issuance of bonds to provide for the purchase of recycling equipment and facilities and for the remediation and closure of solid waste landfills.

20