

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1992

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Legislative Document

No. 2111

H.P. 1499

House of Representatives, January 7, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26. 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 LORD of Waterboro.

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### STATE OF MAINE

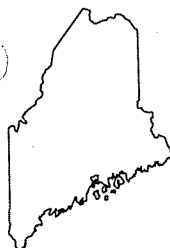
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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-TWO

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**An Act to Authorize a General Fund Bond Issue in the Amount of \$15,000,000 for the Purchase of Recycling Equipment and Facilities and for the Closure and Remediation of Municipal Solid Waste Landfills.**

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2           **Preamble.** Two thirds of both Houses of the Legislature  
4           deeming it necessary in accordance with the Constitution of  
6           Maine, Article IX, Section 14, to authorize the issuance of bonds  
          on behalf of the State of Maine to provide funds for the purchase  
          of recycling equipment and facilities and for the closure and  
          remediation of municipal solid waste landfills.

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

10           **Sec. 1. Authorization of bonds to provide for the purchase of**  
12           **recycling equipment and facilities and for the costs of closure and**  
14           **remediation of municipal solid waste landfills.** The Treasurer of State  
16           is authorized, under the direction of the Governor, to issue  
18           bonds in the name and behalf of the State in an amount not  
20           exceeding \$15,000,000 to raise funds for the purchase of  
22           recycling equipment and facilities and for the closure and  
          remediation of municipal solid waste landfills as authorized by  
          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 10  
          years from the date of the original issue of the bonds. At the  
          discretion of the Treasurer of State, with the approval of the  
          Governor, any issuance of bonds may contain a call feature.

24           **Sec. 2. Records of bonds issued to be kept by the State Auditor and**  
26           **Treasurer of State.** The State Auditor shall keep an account of the  
28           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  
32           State. The Treasurer of State shall keep an account of each bond  
          showing 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 date when payable.

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

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

48           **Sec. 5. Disbursement of bond proceeds.** The proceeds of the  
50           bonds must be expended as set out in section 6 under the  
          direction and supervision of the Department of Environmental  
          Protection

2 and the Maine Waste Management Agency for the purchase of  
recycling equipment and facilities and for the closure and  
remediation of municipal solid waste landfills.

4

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

10

1992-93

12

14 **ENVIRONMENTAL PROTECTION,**  
**DEPARTMENT OF**

16

**Site Evaluation and Planning Program** \$3,000,000

18

**Municipal Implementation Grants Program** \$7,000,000

20

**DEPARTMENT OF ENVIRONMENTAL**  
**PROTECTION**

22

**TOTAL** \$10,000,000

24

**MAINE WASTE MANAGEMENT AGENCY**

26

**Office of Waste Reduction and Recycling**

28

All Other \$5,000,000

30

32 These funds will be used to help  
municipalities and regional associations  
with the purchase of recycling equipment and  
facilities through grants and loans,  
34 including revolving loans.

36

**MAINE WASTE MANAGEMENT AGENCY**  
**TOTAL** \$5,000,000

38

40

**TOTAL ALLOCATIONS** \$15,000,000

42

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

46

**Sec. 8. Appropriation balances at year end.** At the end of each  
fiscal year, all unencumbered appropriation balances representing  
48 state money carry forward. Bond proceeds that have not been

2 expended within 10 years after the date of the sale of the bonds  
lapse to General Fund debt service.

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

12  
14 **Sec. 10. Referendum for ratification; submission at general election;  
form of question; effective date.** This Act must be submitted to the  
16 legal voters of the State of Maine at the next general election  
in the month of November following passage of this Act. The  
18 municipal officers of this State shall notify the inhabitants of  
their respective cities, towns and plantations to meet, in the  
manner prescribed by law for holding a general election, to vote  
20 on the acceptance or rejection of this Act by voting on the  
following question:

22  
24 "Do you favor a \$15,000,000 bond issue to fund loans and  
26 grants to municipalities and regional associations for  
purchasing recycling equipment and facilities and for the  
closure and remediation of municipal solid waste landfills?"

28  
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 and declared in open ward, town and plantation meetings  
and returns made to the Secretary of State in the same manner as  
votes for members of the Legislature. The Governor shall review  
36 the returns and, if a majority of the legal votes are in favor of  
the Act, the Governor shall proclaim the result without delay,  
38 and the Act becomes effective 30 days after the date of the  
proclamation.

40  
42 The Secretary of State shall prepare and furnish to each  
city, town and plantation all ballots, returns and copies of this  
44 Act necessary to carry out the purpose of this referendum.

#### 46 STATEMENT OF FACT

48 The funds provided by this bond issue, in the amount of  
\$15,000,000, will be used for the purchase of recycling equipment  
and facilities and for the closure and remediation of municipal  
50 solid waste landfills. The money available from previously

2

approved bonds issued for this purpose is inadequate to meet the demand for reimbursement of municipalities to close unlicensed solid waste landfills.