

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 1223

H.P. 908

House of Representatives, April 8, 1993

An Act to Authorize a General Fund Bond Issue in the Amount of \$20,000,000 for Landfill Closure and Remediation and to Provide Grants to Municipalities for the Purchase of Recycling Equipment.

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative KILKELLY of Wiscasset.
Cosponsored by Representatives: AHEARNE of Madawaska, BOWERS of Washington,
GOULD of Greenville, HOGLUND of Portland, POULIN of Oakland, Senator: PARADIS of
Aroostook.

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 closure
6 and remediation of municipal solid waste landfills and for the
7 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**
11 **remediation of municipal solid waste landfills and for the purchase of**
12 **recycling equipment.** The Treasurer of State is authorized, under
13 the direction of the Governor, to issue bonds in the name and
14 behalf of the State in an amount not exceeding \$20,000,000 to
15 raise funds for the closure and remediation of municipal solid
16 waste landfills and for the purchase of recycling equipment as
17 authorized by section 6. The bonds are a pledge of the full
18 faith and credit of the State. The bonds may not run for a
19 period longer than 10 years from the date of the original issue
20 of the bonds. At the discretion of the Treasurer of State, with
21 the approval of the Governor, any issuance of bonds may contain a
22 call feature.

24 **Sec. 2. Records of bonds issued to be kept by the Treasurer of State.**
25 The Treasurer of State shall keep an account of each bond showing
26 the number of the bond, the name of the successful bidder to whom
27 sold, the amount received for the bond, the date of sale and the
28 date when payable.

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

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

44 **Sec. 5. Disbursement of bond proceeds.** The proceeds of the
45 bonds must be expended as set out in section 6 under the
46 direction and supervision of the Department of Environmental
47 Protection and the Maine Waste Management Agency for the closure
48 and remediation of municipal solid waste landfills and for the
49 purchase of recycling equipment.

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

1993-94

10 **ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

12 Site Evaluation and Planning Program \$5,000,000

14 Municipal Implementation Grants Program 10,000,000

16 **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

18 **TOTAL** \$15,000,000

20 **MAINE WASTE MANAGEMENT AGENCY**

22 **Office of Waste Reduction and Recycling**

24 All Other \$5,000,000

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

36 **MAINE WASTE MANAGEMENT AGENCY**

38 **TOTAL** \$5,000,000

40 **TOTAL ALLOCATIONS** \$20,000,000

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

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

52 **Sec. 9. Bonds authorized but not issued.** Any bonds authorized
54 but not issued, or for which bond anticipation notes are not
56 issued within 5 years of ratification of this Act, are
deauthorized and may not be issued; except that the Legislature

may, within 2 years after the expiration of that 5-year period,
2 extend the period for issuing any remaining unissued bonds or
bond anticipation notes for an additional amount of time not to
4 exceed 5 years.

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

16 "Do you favor a \$20,000,000 bond issue to provide funds for
the closure and remediation of municipal solid waste
18 landfills and for the purchase of recycling equipment?"

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

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

36

38 **STATEMENT OF FACT**

40 This bill provides \$15,000,000 in additional state money to
pay the State's share of landfill closure and remediation costs
42 incurred by municipalities by virtue of the obligation to close
these landfills by December 31, 1992 and \$5,000,000 for recycling
44 grants.