

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

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Legislative Document

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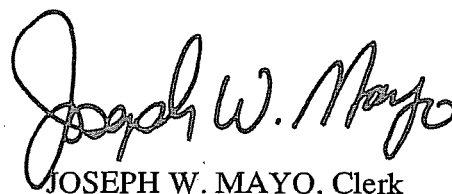
House of Representatives, April 13, 1993

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**An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 for the Development and Construction of Municipal Solid Waste Disposal Facilities and to Purchase Equipment and Facilities for Managing Demolition Debris.**

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

  
JOSEPH W. MAYO, Clerk

Presented by Representative MICHAUD of East Millinocket.  
Cosponsored by Representatives: CONSTANTINE of Bar Harbor, GOULD of Greenville,  
JACQUES of Waterville, Senators: HALL of Piscataquis, TITCOMB of Cumberland.

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  
8           on behalf of the State of Maine to provide funds for grants and  
          loans to municipalities and regional associations to pay for the  
          capital costs associated with developing and constructing  
          municipal solid waste disposal facilities and purchasing  
          equipment and facilities to manage demolition debris.

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

12           **Sec. 1. Authorization of bonds to provide for grants and loans to**  
14           **municipalities and regional associations to pay for the capital costs**  
16           **associated with developing and constructing municipal solid waste disposal**  
18           **facilities and purchasing equipment and facilities to manage demolition**  
20           **debris.** The Treasurer of State is authorized, under the direction  
22           of the Governor, to issue bonds in the name and behalf of the  
24           State in an amount not exceeding \$5,000,000 to raise funds for  
26           the purposes of providing grants and loans to municipalities and  
28           regional associations to pay for the capital costs associated  
          with developing and constructing municipal solid waste disposal  
          facilities and purchasing equipment and facilities to manage  
          demolition debris 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 5 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.

30           **Sec. 2. Records of bonds issued to be kept by the Treasurer of State.**  
32           The Treasurer of State shall keep an account of each bond showing  
34           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.

36           **Sec. 3. Sale; how negotiated; proceeds appropriated.** The  
38           Treasurer of State may negotiate the sale of the bonds by  
40           direction of the Governor, but no bond may be loaned, pledged or  
42           hypothecated on behalf of the State. The proceeds of the sale of  
44           the bonds, which must be held by the Treasurer of State and paid  
46           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.

**Sec. 4. Interest and debt retirement.** The Treasurer of State  
          shall pay interest due or accruing on any bonds issued

2 under this Act and all sums coming due for payment of bonds at  
maturity.

4 **Sec. 5. Disbursement of bond proceeds.** The proceeds of the  
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.

8  
10 **Sec. 6. Allocations from General Fund bond issue; fund grants and**  
loans to municipalities and regional associations to pay for the capital costs  
12 associated with developing and constructing municipal solid waste disposal  
facilities and purchasing equipment and facilities to manage demolition  
14 debris. The proceeds of the sale of bonds must be expended as  
designated in the following schedule.

16 1993-94

18 **MAINE WASTE MANAGEMENT AGENCY**

20 **Office of Siting and Disposal**  
22 **Operations**

24 All Other \$5,000,000

26 To fund grants and loans to pay for the  
capital costs associated with developing and  
28 constructing municipal solid waste disposal  
facilities and purchasing equipment and  
30 facilities to manage demolition debris.

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

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

42 **Sec. 9. Bonds authorized but not issued.** Any bonds authorized  
but not issued, or for which bond anticipation notes are not  
44 issued within 5 years of ratification of this Act, are  
deauthorized and may not be issued; except that the Legislature  
46 may, within 2 years after the expiration of that 5-year period,  
extend the period for issuing any remaining unissued bonds or

2 bond anticipation notes for an additional amount of time not to  
exceed 5 years.

4 **Sec. 10. Referendum for ratification; submission at statewide**  
6 **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  
10 held on the Tuesday following the first Monday of November  
12 following passage of this Act. The 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 statewide election, to vote on the acceptance or  
rejection of this Act by voting on the following question:

14 "Do you favor a \$5,000,000 bond issue to fund grants and  
16 loans to municipalities and regional associations to pay for  
the capital costs associated with developing and  
18 constructing municipal solid waste disposal facilities and  
purchasing equipment and facilities to manage demolition  
debris?"

20  
22 The legal voters of each city, town and plantation shall  
vote by ballot on this question and designate their choice by a  
24 cross or check mark placed within a corresponding square below  
the word "Yes" or "No." The ballots must be received, sorted,  
26 counted and declared in open ward, town and plantation meetings  
and returns made to the Secretary of State in the same manner as  
28 votes for members of the Legislature. The Governor shall review  
the returns and, if a majority of the legal votes are cast in  
30 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.

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

#### 38 STATEMENT OF FACT

40 The funds provided by this bond issue, in the amount of  
42 \$5,000,000, will be used to support the development and  
construction of municipal solid waste disposal facilities and  
44 equipment and facilities to manage demolition debris. Over 250  
Maine municipalities are faced with immediate closure of their  
46 demolition debris landfills. The alternatives available for  
demolition debris disposal and management are extremely limited,  
48 costly to develop and difficult to site. The bond issue will  
support regional solutions that increase needed capacity to  
process, manage and dispose of demolition debris.