

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

FIRST SPECIAL SESSION

July 11, 1991 to July 18, 1991

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 9, 1991

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1991

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

Report required. The Maine Science and Technology Commission is directed to evaluate mechanisms to fully integrate research and development, including federally funded experimental programs, to stimulate competitive research into the State's economic development strategy. The Maine Science and Technology Commission is directed to consider and report on the merits of a state research and development foundation as a mechanism designed to provide private sector financial support to the State's research complex. The Maine Science and Technology Commission is further directed to consider the use of bond support to develop key components of the State's research infrastructure so as to ensure Maine's ability to fully respond to the transition in the state economy. The evaluation may be wholly or partially accomplished by a task group to be appointed by the Maine Science and Technology Commission. The Maine Science and Technology Commission shall report its findings to the Governor and the Legislature no later than December 31, 1991.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective July 30, 1991.

CHAPTER 69

H.P. 1384 - L.D. 1973

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

Preamble. Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of 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 remediation and closure of solid waste landfills.

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

PART A

Sec. A-1. Authorization of bonds to provide for purchase of recycling equipment and facilities and for the costs of remediation and closure of solid waste landfills. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and behalf of the State in an amount not exceeding \$10,000,000 to raise funds for the purchase of recycling equipment, facilities and for the remediation and closure of 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.

Sec. A-2. Records of bonds issued to be kept by the State Auditor and Treasurer of State. The State Auditor shall keep an account of the bonds, showing the number and amount of each, the date when payable and the date of delivery of the bonds to the Treasurer of 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.

Sec. A-3. Sale; how negotiated; proceeds appropriated. The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of 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 Part. 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. A-4. Interest and debt retirement. The Treasurer of State shall pay interest due or accruing on any bonds issued under this Part and all sums coming due for payment of bonds at maturity.

Sec. A-5. Disbursement of bond proceeds. The proceeds of the bonds must be expended as set out in section 6 under the 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.

Sec. A-6. Allocations from General Fund bond issue; purchase of recycling equipment and facilities and for the costs of remediation and 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	
Site Evaluation and Planning Program	\$2,100,000
Municipal Implementation Grants Program	2,900,000

DEPARTMENT OF ENVIRONMENTAL PROTECTION	
TOTAL	\$5,000,000
MAINE WASTE MANAGEMENT AGENCY	
Office of Waste Reduction and Recycling	
All Other	\$5,000,000
<p>These funds will be used to help municipalities and regional associations with the purchase of equipment and construction costs for recycling facilities through grants and loans, including revolving loans.</p>	
TOTAL ALLOCATIONS	<u>\$10,000,000</u>

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

Sec. A-8. Appropriation balances at year end. At the end of each 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.

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

Sec. A-10. Referendum for ratification; submission at statewide election; form of question; effective date. This Part must be submitted to the legal voters of the State of Maine at a statewide election held on the Tuesday following the first Monday of November following passage of this Part. 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 Part by voting on the following question:

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

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word “Yes” or “No.” The ballots must be received, sorted, counted or 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 the returns and, if a majority of the legal votes are cast in favor of the Part, the Governor shall proclaim the result without delay, and the Part becomes effective 30 days after the date of the proclamation.

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

PART B

P&SL 1991, c. 46 is repealed.

Part A - Effective pending referendum.
Part B - Effective October 17, 1991.