

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND THIRD LEGISLATURE

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**Legislative Document**

**No. 1075**

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S. P. 421

In Senate, February 23, 1967

Referred to Committee on Appropriations and Financial Affairs. Sent down for concurrence and ordered printed.

JERROLD B. SPEERS, Secretary

Presented by Senator Ross of Piscataquis.

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## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-SEVEN

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### **AN ACT to Authorize a Bond Issue in Amount of Three Hundred Thousand Dollars for Capital Improvements, Construction, Renovations and Repairs on Public Owned Dams Located on Great Ponds.**

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**Preamble.** Two-thirds of both Houses of the Legislature deeming it necessary in accordance with Section 14 of Article IX of the Constitution to authorize the issuance of bonds on behalf of the State of Maine for capital improvements, construction, renovations and repairs on public owned dams located on great ponds.

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

**Sec. 1. Issue of bonds to provide for construction.** The Treasurer of State is authorized, under the direction of the Governor and Council, to issue from time to time serial coupon bonds in the name and behalf of the State to an amount not exceeding \$300,000 for the purpose of raising funds to provide for capital improvements, construction, renovations and repairs on public owned dams located on great ponds. Said bonds shall be deemed a pledge of the faith and credit of the State. Said bonds shall not run for a longer period than 20 years from the date of the original issue thereof.

**Sec. 2. Records of bonds issued to be kept by State Auditor and Treasurer.** The State Auditor shall keep an account of such bonds, showing the number and amount of each, the date of countersigning, the date when payable and the date of delivery thereof to the Treasurer of State, who shall keep an account of each bond, showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of sale and the date when payable.

**Sec. 3. Sale, how negotiated; proceeds appropriated.** The Treasurer of State may negotiate the sale of such bonds by direction of the Governor and Council; but no such bond shall be loaned, pledged or hypothecated in behalf of the State. The proceeds of the sales of such bonds, which shall be held by the Treasurer of State and paid by him upon warrants drawn by the Governor and Council, are appropriated to be used solely for the purposes set forth in this Act. The Treasurer of State is authorized to invest the proceeds of the sale of the bonds during the period when the proceeds are not needed for the purposes set forth in this Act and the interest therefrom shall be paid into the General Fund. Any unencumbered balances remaining at the completion of the project listed in this Act shall lapse to the debt service account established for the retirement of these bonds.

**Sec. 4. Interest and debt retirement.** Interest due or accruing upon any bonds issued under this Act and all sums coming due for payment of bonds at maturity shall be paid by the Treasurer of State from any money in the treasury not otherwise appropriated.

**Sec. 5. Disbursement of bond proceeds.** The proceeds of such bonds shall be expended under the direction and supervision of the Park and Recreation Commission with the approval of the Commissioner of Inland Fisheries and Game.

**Sec. 6. Purpose; matching funds; eligibility.** The purpose of this Act is to supply funds for the purpose of repairing dams on great ponds, said dams now and in the future being used entirely for the impoundment of water for recreational uses only and not for any commercial purpose.

Any county, municipality, group or association or individual may participate on a 50-50 matching basis in a repair project and any municipality or county is authorized to raise and appropriate funds for this purpose. It is the intent of this Act that such joint participating funds shall be matched in turn with federal funds wherever available.

In order for a dam to be eligible for repair under this Act the present owner or owners must agree to vest in the State whatever water rights may exist in return for its participation, and further to transfer the title to such dam to the town in which said dam exists, future maintenance and care to be said town's responsibility. If the flowage area behind such a dam enters more than one municipality then all concerned must agree to share responsibility for continued maintenance and care of said structure and if unorganized territory is involved, the county in which the unorganized territory is located must agree to share such responsibility.

Waters impounded by a dam repaired under this Act must be open to access by the general public at all times.

**Sec. 7. Contingent upon ratification of bond issue.** This Act shall not become effective unless and until the people of the State of Maine shall have ratified the issuance of bonds as set forth in this Act.

**Sec. 8. Referendum for ratification.** The aldermen of cities, the selectmen of towns and the assessors of the several plantations of this State are em-

powered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of Senators and Representatives, at the next general or special state-wide election to give in their votes upon the acceptance or rejection of the foregoing Act, and the question shall be:

“Shall a bond issue be ratified for the purpose set forth in ‘An Act to Authorize a Bond Issue in Amount of Three Hundred Thousand Dollars for Capital Improvements, Construction, Renovations and Repairs on Public Owned Dams Located on Great Ponds,’ passed by the 103rd Legislature?”

The inhabitants of said cities, towns and plantations shall indicate by a cross or check mark placed within a square upon their ballots their opinion of the same, those in favor of ratification voting “Yes” and those opposed to ratification voting “No” and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings, and return made to the office of the Secretary of State in the same manner as votes for Governor and Members of the Legislature, and the Governor and Council shall count the same and if it shall appear that a majority of the inhabitants voting on the question are in favor of said Act the Governor shall forthwith make known the fact by his proclamation, and the Act shall thereupon become effective in 30 days after the date of said proclamation.

**Secretary of State shall prepare ballots.** The Secretary of State shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing Act, accompanied by a copy thereof.