

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 362

H. P. 288

House of Representatives, January 24, 1973

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

E. LOUISE LINCOLN, Clerk

Presented by Mr. Good of Westfield.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT to Authorize the Creation of the Maine Inland Fisheries and Game Acquisition Fund and the Issuance of Not Exceeding \$2,000,000 for the Financing Thereof.

Preamble. Two-thirds of both Houses of the Legislature deeming it necessary in accordance with Section 14 of Article IX of the Constitution of Maine to authorize the issuance of bonds of the State, the proceeds of which to be credited to the Maine Inland Fisheries and Game Acquisition Fund.

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

Sec. 1. Intent and purpose. The State of Maine takes great pride in the myriad forms of wildlife which were her natural endowment.

The Legislature authorizes the establishment of the Maine Inland Fisheries and Game Acquisition Fund in order to preserve more effectively some remainder of this natural heritage for the future use, enjoyment and spiritual well-being of our citizens.

The Legislature recognizes the need to equip those charged with the responsibility of effectuating its intent with broad discretion and flexibility as well as with funds. It expressly emphasizes that the power of the State should be exercised with caution and fairness as well as with courage and imagination.

Sec. 2. Acquisition of interests in land and water. The Commissioner of the Department of Inland Fisheries and Game shall from time to time acquire on behalf of the State of Maine lands and water or any interest therein by gift, devise, lease or purchase. Moneys from the fund established may be

used for such lands and waters or rights therein and any incidental expenses incurred in the acquisition of such lands, waters and rights.

Sec. 3. Considerations. In making such acquisitions of interests in lands and waters, the Commissioner of Inland Fisheries and Game shall consider and place importance upon future as well as present needs for wintering, resting, feeding and nesting areas for wildlife as well as areas where those interested in wildlife may have access. Such acquisitions may include, but shall not be limited to, deer yards, salt marshes, fresh marshes, stream borders, nesting islands, dams, water rights and abandoned farmlands.

Sec. 4. Rules and regulations. The commissioner may from time to time establish such rules and regulations with respect to any such acquisition as he may deem necessary.

Sec. 5. Improvements. The commissioner may carry on any development work he feels necessary for the enhancement of the value of any acquisition for wildlife and such development work may be paid out of the proceeds of the fund.

Sec. 6. Maine Inland Fisheries and Game Acquisition Fund. There is created the Maine Inland Fisheries and Game Acquisition Fund to which shall be credited the proceeds of the bonds authorized by this Act and from which expenditures may be made as authorized by this Act to carry out the purposes of this Act.

Sec. 7. Issue of bonds. 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 \$2,000,000 for the purposes of this Act. 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. 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 fund created by section 6.

Sec. 8. 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 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. 9. Sale, how negotiated; proceeds appropriated. The Treasurer of State may negotiate the sale of such bonds by direction of the Governor and the 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 credited to the Maine Inland Fisheries and Game Acquisition Fund and 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.

Sec. 10. 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. 11. Contingent upon ratification of bond issue. Sections 1 to 10 of 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. 12. Referendum for ratification. The aldermen of cities, the selectmen of towns and the assessors of the several plantations of this State are empowered 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 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 purposes set forth in ‘An Act to Authorize the Creation of the Maine Inland Fisheries and Game Acquisition Fund and the Issuance of Not Exceeding \$2,000,000 Bonds for the Financing Thereof,’ passed by the 106th Legislature?”

The inhabitants of said cities, towns and plantations shall vote by ballot on said question and shall indicate by a cross or check mark placed against the words “Yes” or “No” their opinion of the same. 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 review the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the Act, the Governor shall forthwith make known the fact by his proclamation and the Act shall become effective in 30 days after the date of said proclamation.

STATEMENT OF FACT

The purpose of this bill is reflected in the title.