

# MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 1781  
6

7 S.P. 695

In Senate, January 9, 1986

8 Approved for introduction by a majority of the Legislative Council  
9 pursuant to Joint Rule 26.

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

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Diamond of Cumberland.

11 Cosponsored by Speaker Martin of Eagle Lake, Senator Perkins of  
Hancock and Representative McGowan of Canaan.

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-SIX  
16

17 AN ACT to Authorize the Issuance of a  
18 Bond not Exceeding \$8,000,000 for the  
19 Financing of the Maine Inland  
20 Fisheries and Wildlife Acquisition  
21 Fund.  
22

23 Preamble. Two-thirds of both Houses of the Leg-  
24 islature deeming it necessary in accordance with the  
25 Constitution of Maine, Article IX, Section 14, to au-  
26 thorize the issuance of bonds of the State, the pro-  
27 ceeds of which to be credited to the Maine Inland  
28 Fisheries and Wildlife Acquisition Fund.

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

30 Sec. 1. Intent and purpose. The State recog-  
31 nizes the importance of its wildlife resources and  
32 further recognizes the importance of habitat in main-  
33 taining an abundance and variety of wildlife species.

34 The Legislature realizes that industrial and res-  
35 idential development is fast claiming many natural

1 areas necessary for the survival of our wildlife and  
2 that areas accessible and open to the public are also  
3 disappearing.

4 The Legislature, having authorized the Maine In-  
5 land Fisheries and Wildlife Acquisition Fund through  
6 a bond issue in 1973, finds it necessary to continue  
7 the work of the fund in order to preserve this natu-  
8 ral heritage for the future use, enjoyment and spiri-  
9 tual well-being of our citizens.

10 **Sec. 2. Acquisition of interests in land and wa-**  
11 **ter.** The Commissioner of Inland Fisheries and Wild-  
12 life shall from time to time acquire on behalf of the  
13 State lands and water or any interest therein by  
14 gift, devise, lease or purchase. Money from the fund  
15 established may be used for the lands and waters or  
16 rights therein and any incidental expenses incurred  
17 in the acquisition of the land, waters and rights.

18 **Sec. 3. Considerations.** In making acquisitions  
19 of interest in lands and waters, the Commissioner of  
20 Inland Fisheries and Wildlife shall consider and  
21 place importance upon future as well as present needs  
22 for wintering, resting, feeding and nesting areas for  
23 wildlife as well as areas where those interested in  
24 wildlife may have access. These acquisitions may in-  
25 clude, but are not limited to, deer yards, salt  
26 marshes, fresh marshes, stream borders, nesting is-  
27 lands, dams, water rights and abandoned farms.

28 **Sec. 4. Rules.** The commissioner may from time  
29 to time establish rules with respect to any such ac-  
30 quisition as he may deem necessary.

31 **Sec. 5. Improvements.** The commissioner may car-  
32 ry on any development work he feels necessary for the  
33 enhancement of the value of any acquisition for wild-  
34 life and that development work may be paid out of the  
35 proceeds of the fund.

36 **Sec. 6. Maine Inland Fisheries and Wildlife Ac-**  
37 **quisition Fund.** The bonds authorized by this Act  
38 shall be credited to the Maine Inland Fisheries and  
39 Wildlife Acquisition Fund and expenditures may be  
40 made as authorized by this Act to carry out the pur-  
41 poses of this Act.

1           **Sec. 7. Issue of bonds.** The Treasurer of State  
2 may, under the direction of the Governor, issue from  
3 time to time serial coupon bonds in the name and be-  
4 half of the State to an amount not exceeding  
5 \$8,000,000 for the purposes of this Act. These bonds  
6 shall be deemed a pledge of the faith and credit of  
7 the State. The bonds shall not run for a longer pe-  
8 riod than 20 years from the date of the original is-  
9 sue of the bonds. The Treasurer of State may invest  
10 the proceeds of the sale of the bonds during the pe-  
11 riod when the proceeds are not needed for the pur-  
12 poses set forth in this Act and the interest shall be  
13 paid into the Maine Inland Fisheries and Wildlife Ac-  
14 quisition Fund.

15           **Sec. 8. Records of bonds issued to be kept by**  
16 **State Auditor and Treasurer of State.** The State Au-  
17 ditor shall keep an account of the bonds, showing the  
18 number and amount of each, the date when payable and  
19 the date of delivery of the bonds to the Treasurer of  
20 State, who shall keep an account of each bond, show-  
21 ing the number of the bonds, the name of the person  
22 to whom sold, the amount received for the bond, the  
23 date of sale and the date when payable.

24           **Sec. 9. Sale; how negotiated; proceeds appropri-**  
25 **ated.** The Treasurer of State may negotiate the sale  
26 of bonds by direction of the Governor, but no such  
27 bond may be loaned, pledged or hypothecated in behalf  
28 of the State. The proceeds of the sales of the  
29 bonds, which shall be credited to the Maine Inland  
30 Fisheries and Wildlife Acquisition Fund and which  
31 shall be held by the Treasurer of State and paid by  
32 him upon warrants drawn by the Governor, are appropri-  
33 ated to be used solely for the purposes set forth  
34 in this Act.

35           **Sec. 10. Interest and debt retirement.** Interest  
36 due or accruing upon any bonds issued under this Act  
37 and all sums coming due for payment of bonds at matu-  
38 rity shall be paid by the Treasurer of State from any  
39 money in the State Treasury not otherwise appropri-  
40 ated.

41           **Sec. 11. Contingent upon ratification of bond**  
42 **issue.** Section 1 to 10 of this Act shall not become  
43 effective unless and until the people of the State

1 shall have ratified the issuance of bonds as set  
2 forth in this Act.

3       **Sec. 12. Lapse of unused bonds.** Bond proceeds  
4 from the sale of bonds under this Act which have not  
5 been expended 10 years after the date of the sale of  
6 the bonds shall lapse to General Fund debt service.

7       **Sec. 13. Bonds authorized but not issued.** Any  
8 bonds authorized but not issued, or for which bond  
9 anticipation notes have not been issued within 5  
10 years of the ratification of this Act, shall be  
11 deauthorized and may not be issued; provided that the  
12 Legislature may, within 2 years after the expiration  
13 of that 5-year period, extend the period for issuing  
14 any remaining unissued bonds or bond anticipation  
15 notes for an additional amount of time not to exceed  
16 5 years.

17       **Sec. 14. Statutory referendum procedure; submis-**  
18 **sion at general election; form of question; effective**  
19 **date.** This Act shall be submitted to the legal vot-  
20 ers of the State of Maine at the next general elec-  
21 tion in the month of November following passage of  
22 this Act. The city aldermen, town selectmen and  
23 plantation assessors of this State shall notify the  
24 inhabitants of their respective cities, towns and  
25 plantations to meet, in the manner prescribed by law  
26 for holding a statewide election, to vote on the ac-  
27 ceptance or rejection of this Act by voting on the  
28 following question:

29       "Shall a bond issue in the amount of \$8,000,000  
30 be ratified for the purpose of acquiring wildlife  
31 habitat and land for public outdoor recreation?"

32       The legal voters of each city, town and planta-  
33 tion shall vote by ballot on this question, and shall  
34 designate their choice by a cross or check mark  
35 placed within a corresponding square below the word  
36 "Yes" or "No." The ballots shall be received,  
37 sorted, counted and declared in open ward, town and  
38 plantation meetings and returns made to the Secretary  
39 of State in the same manner as votes for members of  
40 the Legislature. The Governor shall review the re-  
41 turns and, if it appears that a majority of the legal  
42 votes are in favor of the Act, the Governor shall

