

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 2207

H.P. 1594

House of Representatives, January 19, 1990

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

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

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Speaker MARTIN of Eagle Lake.

Cosponsored by Representative JACQUES of Waterville, Representative McGOWAN of Canaan and Senator TITCOMB of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

**An Act to Authorize the Issuance of a Bond Not Exceeding
\$25,000,000 for the Financing of the Maine Inland Fisheries and
Wildlife Acquisition Fund.**

(AFTER DEADLINE)



2 **Preamble.** Two thirds of both Houses of the Legislature
3 deeming it necessary in accordance with the Constitution of
4 Maine, Article IX, Section 14, to authorize the issuance of bonds
5 on behalf of the State of Maine to provide funds for the Maine
6 Inland Fisheries and Wildlife Acquisition Fund.

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

8 **Sec. 1. Intent and purpose.** The State recognizes the
9 importance of its wildlife resources and further recognizes the
10 importance of habitat in maintaining an abundance and variety of
11 wildlife species.

12 The Legislature realizes that industrial and residential
13 development is fast claiming many natural areas necessary for the
14 survival of our wildlife and that areas accessible and open to
15 the public are also disappearing.

16 The Legislature, having authorized the Maine Inland
17 Fisheries and Wildlife Acquisition Fund through a bond issue in
18 1973, finds it necessary to continue the work of the fund in
19 order to preserve this natural heritage for the future use,
20 enjoyment and spiritual well-being of our citizens.

21 **Sec. 2. Acquisition of interests in land and water.** The
22 Commissioner of Inland Fisheries and Wildlife shall from time to
23 time acquire on behalf of the State lands and water or any
24 interest therein by gift, devise, lease or purchase. Money from
25 the fund established may be used for the lands and waters or
26 rights therein and any incidental expenses incurred in the
27 acquisition of the land, waters and rights.

28 **Sec. 3. Considerations.** In making acquisitions of interest in
29 lands and waters, the Commissioner of Inland Fisheries and
30 Wildlife shall consider and place importance upon future as well
31 as present needs for wintering, resting, feeding and nesting
32 areas for wildlife as well as areas to which those interested in
33 wildlife may have access. These acquisitions may include, but
34 are not limited to, deer yards, salt marshes, fresh marshes,
35 stream borders, nesting islands, habitats for rare and endangered
36 species, dams, water rights and abandoned farms.

37 **Sec. 4. Rules.** The commissioner may from time to time
38 establish rules with respect to any such acquisitions as the
39 commissioner considers necessary.

40 **Sec. 5. Improvements.** The commissioner may carry on any
41 development work the commissioner considers necessary for the
42 enhancement of the value of any acquisition for wildlife and the
43 cost of that development work may be paid out of the proceeds of
44 the fund.

2 **Sec. 6. Allocation from General Fund bond issue; Maine Inland**
3 **Fisheries and Wildlife Acquisition Fund.** The bonds authorized by
4 this Act shall be allocated to the Maine Inland Fisheries and
5 Wildlife Acquisition Fund and expenditures may be made as
6 authorized by this Act to carry out the purposes of this Act.

7 **Sec. 7. Issue of bonds.** The Treasurer of State may, under the
8 direction of the Governor, issue from time to time registered
9 bonds in the name and behalf of the State to an amount not
10 exceeding \$25,000,000 for the purposes of this Act. These bonds
11 shall be deemed a pledge of the faith and credit of the State.
12 The bonds shall not run for a longer period than 10 years from
13 the date of the original issue of the bonds. The Treasurer of
14 State may invest the proceeds of the sale of the bonds during the
15 period when the proceeds are not needed for the purposes set
16 forth in this Act and the interest shall be paid into the General
17 Fund.

18 **Sec. 8. Records of bonds issued to be kept by State Auditor and**
19 **Treasurer of State.** The State Auditor shall keep an account of the
20 bonds, showing the number and amount of each, the date when
21 payable and the date of delivery of the bonds to the Treasurer of
22 State who shall keep an account of each bond showing the number
23 of the bond, the name of the successful bidder to whom sold, the
24 amount received for the same, the date of sale and the date when
25 payable.

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

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

40 **Sec. 11. Contingent upon ratification of bond issue.** Sections 1 to
41 10 of this Act shall not become effective unless and until the
42 people of the State have ratified the issuance of bonds as set
43 forth in this Act.

44 **Sec. 12. Lapse of unused bonds.** Bond proceeds from the sale of
45 bonds under this Act which have not been expended 10

acquire critical wildlife habitat and guarantee public access to
prime wildlife areas around the State. This money carries on
that work.

2

4