

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

## SECOND REGULAR SESSION - 1990

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Legislative Document

No. 2467

H.P. 1797

House of Representatives, March 29, 1990

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 Representative REED of Falmouth.  
Cosponsored by Representative LEBOWITZ of Bangor.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY

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**An Act to Authorize a General Fund Bond Issue in the Amount of  
\$8,000,000 to Finance the Acquisition of Land for Conservation,  
Outdoor Recreation and Wildlife.**

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2           **Preamble.** Two thirds of both Houses of the Legislature  
deeming it necessary in accordance with the Constitution of  
4           Maine, Article IX, Section 14, to authorize the issuance of bonds  
on behalf of the State of Maine to provide funds for the  
6           acquisition of land for conservation, outdoor recreation and  
wildlife.

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

10           **Sec. 1. Authorization of bonds to provide for conservation, outdoor**  
**recreation and wildlife.** The Treasurer of State is authorized, under  
12           the direction of the Governor, to issue from time to time  
registered bonds in the name and behalf of the State to an amount  
14           not exceeding \$8,000,000 for the purpose of raising funds to  
acquire lands for conservation, outdoor recreation and wildlife  
16           and capital expenditures for improved access to the acquired  
lands as authorized by section 6. No more than \$8,000,000 may be  
18           issued in the first year. Any unused balance may be added to the  
Land for Maine's Future Fund in the ensuing year. The bonds  
20           shall be deemed a pledge of the full faith and credit of the  
State. The bonds shall not run for a period longer than 15 years  
22           from the date of the original issue of the bonds. Any issuance  
of bonds may contain a call feature at the discretion of the  
24           Treasurer of State with the approval of the Governor.

26           **Sec. 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  
28           bonds, showing the number and amount of each, the date when  
payable and the date of delivery of the bonds to the Treasurer of  
30           State who shall keep an account of each bond showing the number  
of the bond, the name of the successful bidder to whom sold, the  
32           amount received for the same, the date of sale and the date when  
payable.

34           **Sec. 3. Sale; how negotiated; proceeds appropriated.** The  
36           Treasurer of State may negotiate the sale of the bonds by  
direction of the Governor, but no bond may be loaned, pledged or  
38           hypothecated on behalf of the State. The proceeds of the sale of  
the bonds, which shall be held by the Treasurer of State and paid  
40           by the Treasurer of State upon warrants drawn by the State  
Controller, are appropriated to be used solely for the purposes  
42           set forth in this Act. Any unencumbered balances remaining at  
the completion of the project in section 6 shall lapse to the  
44           debt service account established for the retirement of these  
bonds.

46           **Sec. 4. Interest and debt retirement.** Interest due or accruing  
48           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  
50           State.

52           **Sec. 5. Disbursement of bond proceeds.** The proceeds of the  
bonds set out in section 6 shall be expended under the direction  
54           and supervision of the Land for Maine's Future Board in the State

2 Planning Office for acquisition of lands for conservation,  
3 outdoor recreation and wildlife and capital expenditures to  
4 improve access to the acquired lands.

6 **Sec. 6. Allocations from General Fund bond issue; conservation,  
7 outdoor recreation and wildlife, access improvements.** The proceeds of  
8 the sale of bonds shall be expended as follows.

1990-91

10 **EXECUTIVE DEPARTMENT**

12 **Land for Maine's Future Board**

14 All Other \$8,000,000

16 Acquisitions will be targeted to sites with  
18 outstanding recreational, scenic, natural or  
19 wildlife values.

20 **Sec. 7. Contingent upon ratification of bond issue.** Sections 1 to  
22 6 shall not become effective unless and until the people of the  
23 State have ratified the issuance of bonds as set forth in this  
24 Act.

26 **Sec. 8. Appropriation balances at year end.** At the end of each  
27 fiscal year, all unencumbered appropriation balances representing  
28 state money shall carry forward from year to year. Bond proceeds  
29 which have not been expended within 10 years after the date of  
30 the sale of the bonds shall lapse to General Fund debt service.

32 **Sec. 9. Bonds authorized but not issued.** Any bonds authorized  
33 but not issued, or for which bond anticipation notes have not  
34 been issued within 5 years of ratification of this Act, shall be  
35 deauthorized and may not be issued, provided that the Legislature  
36 may, within 2 years after the expiration of that 5-year period,  
37 extend the period for issuing any remaining unissued bonds or  
38 bond anticipation notes for an additional amount of time not to  
39 exceed 5 years.

40 **Sec. 10. Referendum for ratification; submission at general election;  
42 form of question; effective date.** This Act shall be submitted to the  
43 legal voters of the State of Maine at the next general election  
44 in the month of November following passage of this Act. The city  
45 aldermen, town selectmen and plantation assessors of this State  
46 shall notify the inhabitants of their respective cities, towns  
47 and plantations to meet, in the manner prescribed by law for  
48 holding a general election, to vote on the acceptance or  
rejection of this Act by voting on the following question:

2 "Do you favor an \$8,000,000 bond issue for the purchase of  
4 land for public access, conservation, outdoor recreation and  
wildlife habitat?"

6 The legal voters of each city, town and plantation shall  
8 vote by ballot on this question and shall designate their choice  
10 by a cross or check mark placed within a corresponding square  
12 below the word "Yes" or "No." The ballots shall be received,  
14 sorted, counted and declared in open ward, town and plantation  
16 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 it appears that a majority of  
the legal voters are in favor of the Act, the Governor shall  
proclaim that fact without delay, and the Act shall become  
effective 30 days after the date of the proclamation.

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

#### 22 STATEMENT OF FACT

24 The funds provided by this bond issue, in the amount of  
26 \$8,000,000, will be used for the acquisition of land for  
conservation, outdoor recreation and wildlife.