

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 123

S.P. 53

In Senate, January 11, 1999

**An Act to Authorize a General Fund Bond Issue in the Amount of
\$5,000,000 for the Acquisition of Water Access Sites by the Department
of Inland Fisheries and Wildlife.**

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator KILKELLY of Lincoln.
Cosponsored by Representative HONEY of Boothbay and
Senators: DAVIS of Piscataquis, KONTOS of Cumberland, RUHLIN of Penobscot,
Representatives: DUNLAP of Old Town, GAGNON of Waterville, SAVAGE of West
Buxton, TRUE of Fryeburg.

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 water access sites by the Department of Inland
Fisheries 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 water access sites.** The
Treasurer of State is authorized, under the direction of the
12 Governor, to issue bonds in the name and on behalf of the State
in an amount not exceeding \$5,000,000 to raise funds for the
14 purchase of property or interests in property to provide public
access to fresh or coastal waters that presently have no public
16 access or very limited public access and to provide any necessary
minor capital improvements on the property to provide for public
18 access or improved accessibility as authorized by section 6. The
bonds are a pledge of the full faith and credit of the State.
20 The bonds may not run for a period longer than 20 years from the
date of the original issue of the bonds. At the discretion of
22 the Treasurer of State, with the approval of the Governor, any
issuance of bonds may contain a call feature.

24 **Sec. 2. Records of bonds issued to be kept by the Treasurer of State.**
The Treasurer of State shall keep an account of each bond showing
26 the number of the bond, the name of the successful bidder to whom
sold, the amount received for the bond, the date of sale and the
28 date when payable.

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

42 **Sec. 4. Interest and debt retirement.** The Treasurer of State
shall pay interest due or accruing on any bonds issued under this
44 Act and all sums coming due for payment of bonds at maturity.

46 **Sec. 5. Disbursement of bond proceeds.** The proceeds of the
bonds must be expended as set out in section 6 under the
48 direction and supervision of the Department of Inland Fisheries
and Wildlife.

50

2 **Sec. 6. Allocations from General Fund bond issue.** The proceeds
of the sale of bonds must be expended as designated in the
following schedule.

4
6 **Acquisition of water
access sites**

\$5,000,000

8 Provides funds for the purchase of property
or interests in property to provide public
10 access to fresh or coastal waters that
presently have no public access or very
12 limited public access and to provide any
necessary minor capital improvements on the
14 property to provide for public access or
improved accessibility.

16
18 **Sec. 7. Contingent upon ratification of bond issue.** Sections 1 to
6 do not become effective unless the people of the State have
ratified the issuance of bonds as set forth in this Act.

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22 **Sec. 8. Appropriation balances at year end.** At the end of each
fiscal year, all unencumbered appropriation balances representing
state money carry forward. Bond proceeds that have not been
24 expended within 10 years after the date of the sale of the bonds
lapse to General Fund debt service.

26
28 **Sec. 9. Bonds authorized but not issued.** Any bonds authorized
but not issued, or for which bond anticipation notes are not
issued within 5 years of ratification of this Act, are
30 deauthorized and may not be issued; except that the Legislature
may, within 2 years after the expiration of that 5-year period,
32 extend the period for issuing any remaining unissued bonds or
bond anticipation notes for an additional amount of time not to
34 exceed 5 years.

36 **Sec. 10. Referendum for ratification; submission at statewide
election; form of question; effective date.** This Act must be submitted
38 to the legal voters of the State of Maine at a statewide election
held on the Tuesday following the first Monday of November
40 following passage of this Act. The municipal officers of this
State shall notify the inhabitants of their respective cities,
42 towns and plantations to meet, in the manner prescribed by law
for holding a statewide election, to vote on the acceptance or
44 rejection of this Act by voting on the following question:

46 "Do you favor a \$5,000,000 bond issue for the acquisition of
water access sites by the Department of Inland Fisheries and
48 Wildlife?"

2 The legal voters of each city, town and plantation shall
vote by ballot on this question and designate their choice by a
3 cross or check mark placed within a corresponding square below
4 the word "Yes" or "No." The ballots must be received, sorted,
counted and declared in open ward, town and plantation meetings
5 and returns made to the Secretary of State in the same manner as
6 votes for members of the Legislature. The Governor shall review
7 the returns and, if a majority of the legal votes are cast in
8 favor of the Act, the Governor shall proclaim the result without
9 delay, and the Act becomes effective 30 days after the date of
10 the proclamation.

12

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

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SUMMARY

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21 The funds provided by this bond issue, in the amount of
22 \$5,000,000, will be used to provide funds for the acquisition of
water access sites by the Department of Inland Fisheries and
23 Wildlife. The primary purpose of the funds is to purchase
24 property or interests in property to provide public access to
fresh or coastal waters that presently have either no public
25 access or very limited public access and to provide any necessary
26 minor capital improvements on the property for the purpose of
27 providing public access or improved accessibility.

28