

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 776

H.P. 527

House of Representatives, February 26, 2009

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### **An Act To Authorize a General Fund Bond Issue for the Land for Maine's Future Board**

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative ADAMS of Portland.

Cosponsored by Representatives: BECK of Waterville, BLODGETT of Augusta, BOLDUC of Auburn, COHEN of Portland, CORNELL du HOUX of Brunswick, DOSTIE of Sabattus, EVES of North Berwick, FLAHERTY of Scarborough, FLEMINGS of Bar Harbor, GILBERT of Jay, GOODE of Bangor, HUNT of Buxton, WALSH INNES of Yarmouth, KENT of Woolwich, KRUGER of Thomaston, LEGG of Kennebunk, LOVEJOY of Portland, MARTIN of Orono, McCABE of Skowhegan, MORRISON of South Portland, NELSON of Falmouth, O'BRIEN of Lincolnville, PETERSON of Rumford, ROTUNDO of Lewiston, RUSSELL of Portland, SANBORN of Gorham, SHAW of Standish, STEVENS of Bangor, STUCKEY of Portland, VAN WIE of New Gloucester, WAGNER of Lyman, WELSH of Rockport, WILLETTE of Presque Isle, Senators: GOODALL of Sagadahoc, JACKSON of Aroostook, SIMPSON of Androscoggin, TRAHAN of Lincoln.

1       **Preamble.** Two thirds of both Houses of the Legislature deeming it necessary in  
2 accordance with the Constitution of Maine, Article IX, Section 14 to authorize the  
3 issuance of bonds on behalf of the State of Maine to provide funds as described in this  
4 Act,

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

6       **Sec. 1. Authorization of bonds.** The Treasurer of State is authorized, under the  
7 direction of the Governor, to issue bonds in the name and on behalf of the State in an  
8 amount not exceeding \$40,000,000 for the purposes described in section 6 of this Act.  
9 The bonds are a pledge of the full faith and credit of the State. The bonds may not run for  
10 a period longer than 10 years from the date of the original issue of the bonds. At the  
11 discretion of the Treasurer of State, with the approval of the Governor, any issuance of  
12 bonds may contain a call feature.

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

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

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

27       **Sec. 5. Disbursement of bond proceeds.** The proceeds of the bonds must be  
28 expended as set out in this Act under the direction and supervision of the Land for  
29 Maine's Future Program within the Executive Department, State Planning Office.

30       **Sec. 6. Allocations from General Fund bond issue.** The proceeds of the sale  
31 of the bonds authorized under this Act must be expended as designated in the following  
32 schedule.

33       **LAND FOR MAINE'S FUTURE**  
34       **BOARD**

35		
36	Provides funds for a 2-year distribution of	\$40,000,000
37	\$20,000,000 each year to secure public	
38	access to Maine's land and water resources	
39	or to ensure quality and availability of	
40	natural resources important to Maine	
41	people.	

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

**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 expended within 10 years after the date of the sale of the bonds lapse to General Fund debt service.

**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 deauthorized and may not be issued, except that the Legislature may, within 2 years after the expiration of that 5-year period, extend the period for issuing any remaining unissued bonds or bond anticipation notes for an additional amount of time not to exceed 5 years.

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

"Do you favor a \$40,000,000 bond issue to be used to provide funds for a 2-year distribution of \$20,000,000 each year to secure public access to Maine's land and water resources or to ensure quality and availability of natural resources important to Maine people?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation 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. If a majority of the legal votes are cast in favor of this Act, the Governor shall proclaim the result without delay and this Act becomes effective 30 days after the date of the proclamation.

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

## SUMMARY

The funds provided by this bond issue, in the amount of \$40,000,000, will be used to provide funds for a 2-year distribution of \$20,000,000 each year to secure public access to Maine's land and water resources or to ensure quality and availability of natural resources important to Maine people.