

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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**Legislative Document**

**No. 1827**

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S. P. 523

In Senate, May 31, 1977

Approved by a Majority of the Legislative Council pursuant to Joint Rule 25. Referred to the Committee on Local and County Government. Sent down for concurrence and ordered printed.

MAY M. ROSS, Secretary

Presented by Senator Danton of York.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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**AN ACT to Ratify Certain Action Taken Relating to Construction of a York County Jail and to Provide for Acceptance of Gifts and Grants for such Purpose.**

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**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the York County jail is presently closed and in immediate need of replacement; and

Whereas, by chapter 79 of the private and special laws of 1973 the Legislature authorized construction of a new York County jail to be located on county-owned property adjacent to the old county jail, and the issue by the County of York of \$800,000 principal amount of bonds for such purpose, and such act was accepted by the requisite majority of the legal voters of the County of York at a referendum election held on November 6, 1973; and

Whereas, on April 8, 1974 the county commissioners of the County of York purchased from Genest Concrete Works, Inc. certain land in Alfred for the purpose of constructing thereon a new county jail, the deed thereto being dated April 8, 1974 and being recorded in York County Registry of Deeds in Book 2031, Page 481, and said land so purchased for such purpose was not adjacent to the old county jail; and

Whereas, by chapter 144 of the private and special laws of 1975 the Legislature, intending to ratify the purchase of said land, amended chapter 79 of the

private and special laws of 1973 to eliminate the requirement that the new county jail be located adjacent to the old county jail, and to increase the authorized amount of bonds that could be issued by the County of York for such purpose from \$800,000 to \$1,200,000 and such Act was accepted by the requisite majority of the legal voters of the County of York at a referendum election held on November 2, 1976; and

Whereas, ratification of said referendum elections and the purchase of said land for said purpose, and authority to accept gifts and grants for the construction of said new county jail are essential and urgently required in order that the county treasurer and county commissioners can proceed with the construction of a new county jail, and with the issue and sale of \$1,200,000 principal amount of bonds to provide funds for such purpose; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. Land purchase and construction expenditures by county commissioners validated.** Notwithstanding any other provision of law, the purchase by the county commissioners of the County of York of the land in Alfred conveyed to the County of York by Genest Concrete Works, Inc. by deed dated April 8, 1974 for purpose of constructing thereon a new county jail, and the expenditure of funds for the design and construction thereon of said new county jail, are hereby declared legal and valid and are hereby ratified, confirmed, validated and made effective and the construction thereon, or on any other county-owned land in the Town of Alfred, of a new county jail is hereby authorized.

**Sec. 2. Referendum elections validated.** All proceedings in connection with referendum elections held in the County of York on November 6, 1973 and November 2, 1976, in relation to the acceptance by the legal voters of the County of York of chapter 79 of the private and special laws of 1973 and chapter 144 of the private and special laws of 1975, respectively, are hereby declared legal and valid, and are hereby ratified, confirmed and made effective, and chapter 79 of the private and special laws of 1973, as amended by chapter 144 of the private and special laws of 1975, is hereby declared to be fully effective.

**Sec. 3. Acceptance of gifts or grants authorized.** Notwithstanding any other provisions of law, the county commissioners of the County of York are hereby authorized to accept funds from the Federal and State Governments and any department, agency or instrumentality of either of said governments and from charitable institutions, foundations or other donors for the purpose of designing and constructing a new county jail in the County of York, and said county commissioners are authorized to expend for the purpose of constructing such new county jail all such funds, in addition to the \$1,200,000 authorized to be expended for that purpose from the proceeds of the bonds authorized to be issued pursuant to the provisions of chapter 79 of the private

and special laws of 1973, as amended by chapter 144 of the private and special laws of 1975.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

The intent of this Act is reflected in the emergency preamble.