

MAINE STATE LEGISLATURE

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N I N E T Y - N I N T H L E G I S L A T U R E

Legislative Document

No. 677

S. P. 264

In Senate, February 12, 1959

Referred to the Committee on Towns and Counties, sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Lord of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

**AN ACT to Authorize the County Commissioners of Cumberland County
to Issue Bonds for Construction of a County Jail.**

Emergency preamble. Whereas, in the judgment of the county commissioners of Cumberland County, the jail in Cumberland County is badly in need of substantial repairs to the heating plant and plumbing and badly in need of modern sanitary and security facilities; and

Whereas, in the judgment of the county commissioners of Cumberland County, the jail is old and of a design that eliminates the possibility of installation therein of modern sanitary and security facilities, and the construction of a new jail is advisable; and

Whereas, land must be acquired by the County of Cumberland for a site for a new jail; and

Whereas, in the judgment of the county commissioners of Cumberland County, the cost of construction of a new jail adequate for present needs of Cumberland County and the foreseeable future, together with necessary land taking will be \$1,350,000, which amount is considered too great to be provided for in the biennial estimates; 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. Bond issue authorized. The county commissioners of Cumberland County, in order to provide funds for construction of a new county jail in Cumberland County, are hereby authorized to issue the interest-bearing bonds of said Cumberland County to an amount not to exceed \$1,350,000. Said bonds shall bear such rates of interest and mature at such times as said county commissioners may determine; but none of which shall run for a longer period than 25 years from the date of original issue thereof. Such bonds shall be valid without first obtaining the consent of said county as provided in the Revised Statutes of 1954, chapter 89, sections 27 and 29.

Sec. 2. Powers. The county commissioners of Cumberland County, acting for and in the name of the County of Cumberland, are hereby authorized for the purposes aforesaid to acquire and hold by purchase or by the exercise of the right of eminent domain as hereinafter provided, or otherwise, land, real estate, rights and easements or interest therein, located within the City of Portland in such location as determined by the said commissioners and of sufficient extent to accommodate said jail with grounds and parking areas adjacent thereto.

Sec. 3. Eminent domain. The county commissioners of Cumberland County, in exercising the right of eminent domain, may adopt an order of taking which shall contain a description of the land taken sufficiently accurate for its identification and shall state therein the purpose for which said property is taken.

Sec. 4. Procedure; appeals. All proceedings under sections 2 and 3 shall be in accordance with the Revised Statutes of 1954, chapter 52, sections 12 to 22, with a right of appeal to the Superior Court as therein provided.

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