

MAINE STATE LEGISLATURE

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

Legislative Document

No. 603

H. P. 428

House of Representatives, January 19, 1961.

Referred to Committee on Towns and Counties. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Crockett of Freeport (by request).

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

**AN ACT to Authorize Cumberland County to Raise Money for the Construction
of a County Jail.**

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

Sec. 1. To raise money for jail. The county commissioners of the County of Cumberland are authorized to raise and expend a sum not exceeding \$1,000,000 for the construction and the equipping and furnishing of a county jail within the City of Portland at such location as shall be approved as provided.

Sec. 2. Bonds and notes. To provide funds for the construction, furnishing and equipping of said county jail and for the acquisition and development of a site therefor, the treasurer of Cumberland County subject to section 4 of this act and with the approval of said county commissioners may borrow from time to time upon the full faith and credit of the county such sums, not exceeding in the aggregate \$1,000,000, as may be necessary, and may issue bonds or notes therefor which shall bear on their face the words "Cumberland County Jail Bonds, Act of 1961." Each authorized issue shall constitute a separate loan. Such bonds or notes shall be payable in such annual installments beginning not more than 2 years from the date thereof and not earlier than the year 1963, as will extinguish each loan in not more than 25 years from its date, and so that the amount of such annual payment of principal in any year shall not be less by more than \$5,000 than the amount of the principal of the loan payable in any subsequent year. Such bonds or notes shall be signed by the treasurer of the county and countersigned by the majority of said county commissioners. The county may sell such securities at public or private sale upon such terms and conditions as the said county commissioners may deem proper, but at not less than par and accrued interest. Such bonds or notes 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. 3. Temporary notes. Said county treasurer, subject to section 4 of this act and with the approval of said county commissioners, may issue temporary notes of the county, payable in not more than one year from their dates, in anticipation of the issue of serial bonds or notes under this act and may renew the same, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the term fixed by this act. Any notes issued in anticipation of the serial bonds or notes shall be paid from the proceeds thereof.

Sec. 4. Approval of plans. The county commissioners shall obtain preliminary sketches, plans and cost estimates. The elected members of the 100th Legislature from Cumberland County shall constitute an interim committee of the Legislature which shall approve the plans and location for the jail, the area for which shall be sufficient in the opinion of said committee to accommodate said jail buildings together with grounds and parking areas adjacent thereto. Such approval shall be given before money is borrowed, land acquired or contracts let. The first meeting and subsequent meetings, if any, of said committee shall be called by the county commissioners and written notice thereof shall be mailed or given in hand to each committee member at least 7 days before the date of any such meeting. At its first meeting said committee shall elect a chairman who shall preside at committee meetings. The Cumberland County clerk of courts shall be the clerk of said interim committee. He shall keep the minutes of its meetings and record the same in the county records. Said committee may make additional rules for the conduct of its business, but the presence of at least 16 members shall be required to constitute a quorum, though a lesser number may adjourn.

Sec. 5. Powers. Said county commissioners acting for and in the name of said county are authorized for the aforesaid purposes to acquire by purchase or by the exercise of the right of eminent domain as provided, or otherwise, and hold land, real estate, rights and easements or interests therein, at such location within the City of Portland as shall be approved. Said county commissioners, exercising the right of eminent domain, may adopt an order of taking which shall contain a description of the land sufficiently accurate for its identification and shall state therein the purpose for which the property is taken.

Sec. 6. Relocation payments. If land is taken by eminent domain, the county commissioners are authorized to pay tenants who are forced to relocate by reason thereof not to exceed \$100 per family for moving expenses.

Sec. 7. Procedure; appeals. All proceedings under section 5 shall be in accordance with the Revised Statutes of 1954, chapter 52, sections 12 to 22, with the right of appeal to the Superior Court as therein provided.