

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
107TH LEGISLATURE

(Filing No. H-452)

COMMITTEE AMENDMENT " A " to H.P. 1243, L.D. 1544, Bill,

"AN ACT to Authorize the Treasurer and County Commissioners of Hancock County to Build a Detention Center and District Court."

Amend said Bill by striking out all of the Title and inserting in place thereof the following:

'AN ACT to Authorize Hancock County to Raise \$600,000 for Construction of a Detention Center and a District Court Facility.'

Further amend said Bill by inserting before the enacting clause, the following emergency preamble:

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

Whereas, District Court facilities are vitally needed in the County of Hancock in order to facilitate the handling of cases; and

Whereas, the county commissioners have taken appropriate action to provide for an adequate detention center and District Court facilities; 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,'

Further amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

'Sec. 1. To raise money for detention center and District Court facility. The county commissioners of the County of Hancock are authorized to raise and expend a sum not exceeding and District Court facility, Ellsworth in \$600,000 for a county jail to be located in Hancock County, which may be either a renovation and enlargement of present jail facilities, or an entirely new jail facility at a different location together with any land required therefor.

Sec. 2. Aid from other sources. The county commissioners of the County of Hancock are authorized to borrow any portion of the sums herein authorized from or through any agency or department of the State of Maine and of the United States Government. Said county commissioners are authorized to receive grants of money and other assistance from or through any agency or department of the State of Maine and of the United States Government for any of the purposes herein authorized.

Sec. 3. Bonds. To provide funds for said county jail and for said Maine District Court facility the treasurer of Hancock County, 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 \$600,000, as may be necessary and may issue bonds therefor which shall bear on their face the words "Hancock County Capital Improvement Bonds, Act of 1975." Each authorized issue shall be payable in such annual installments, beginning not more than 2 years from the date thereof and not earlier than the year 1977, as will extinguish each loan in not more than 20 years from its date. Such bonds 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.

Sec. 4. Temporary notes. Said county treasurer, 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 under this Act and may renew the same, but the time within which such serial bonds 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 shall be paid from the proceeds thereof.

Referendum for ratification. In view of the emergency cited in the preamble, this Act shall take effect when approved, only for the purpose of its submission to the legal voters of Hancock County.

Such submission shall be at the discretion of the Hancock County Board of Commissioners but not later than 18 months after adjournment of the Legislature. Hancock County commissioners are authorized to expend such funds as are necessary to implement the referendum.

The county commissioners shall cause the preparation of the required ballots on which they shall state the subject matter of this Act in the following question: "Shall 'An Act to Authorize Hancock County to Raise \$600,000 for Construction of a Detention Center and a District Court Facility,' passed by the 107th Legislature, be accepted?" The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

This Act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters voting at said election; provided the total number of votes cast for and against the acceptance of this Act equals or exceeds 30% of the total votes for all candidates for Governor cast in the next previous gubernatorial election in said county. If at any such first election, the total number of votes cast for or against acceptance of this Act is less than 30% of the total votes for all candidates for Governor cast in said county in the next previous gubernatorial election, the county commissioners may call not more than one other such special election to be held within the time prescribed above.

The result of such elections shall be declared by the Hancock County commissioners and due certificate filed with the Secretary of State.'

Statement of Fact

The purposes of this amendment are to add an emergency to the bill and to require a referendum on the bond issue for the Hancock County detention center and District Court facility and to clarify the drafting of the original bill.

Reported by the Committee on Local and County Government.

Reproduced and distributed under the direction of the Clerk of the House.
5/23/75

(Filing No. H-452)