

MAINE STATE LEGISLATURE

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(EMERGENCY)
FIRST SPECIAL SESSION

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 2213

S. P. 693

In Senate, February 13, 1976

Approved for introduction by a Majority of the Committee on Reference of Bills pursuant to Joint Order S. P. 635, as amended. Referred to the Committee on Local and County Government. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Wyman of Washington.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SIX

**AN ACT to Authorize Washington County to Raise Funds for Construction
of a Detention Center.**

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, the Bureau of Corrections has approved the County Jail facility at Machias on a temporary basis only, recommending that the structure be renovated or replaced as, in their opinion, the structure is no longer adequate for human detention purposes; and

Whereas, the county commissioners have taken appropriate action to provide replacement facilities at the earliest possible time following legislative authorization; 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. Loan authorized. The Treasurer of the County of Washington is authorized to procure, by loan on the faith and responsibility of said county, a sum of money not exceeding \$600,000, exclusive of and in addition to the

loans authorized by existing statutes, for the purpose of building a detention center located in Machias, in the County of Washington, 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. Procedure. The county commissioners are authorized to raise the sum of money necessary to carry out the purposes of this Act by following the provisions of either section 3 or section 4, or section 5, as hereinafter provided.

Sec. 3. Aid from other sources. The county commissioners of the County of Washington 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. 4. Signing of notes authorized. The Treasurer of Washington County is hereby authorized to sign notes of said county in an amount not exceeding \$600,000, with interest not exceeding 12% payable annually; said notes to mature not later than 20 years from the date thereof, as the county commissioners may fix; said notes to be signed by the treasurer and countersigned by the county commissioners of said county.

Sec. 5. Issuance of bonds authorized. The Treasurer of Washington County is hereby authorized to issue bonds of said county therefor, with interest coupons attached, to an amount not exceeding \$600,000, said bonds to bear interest payable annually at a rate not exceeding 12% per year; the principal to be paid at such times not sooner than 20 years nor later than 30 years from the date thereof, as the county commissioners may fix; said bonds to be signed by the treasurer and countersigned by the county commissioners of said county and the coupons to bear the facsimile of said county treasurer.

Sec. 6. Duty of county commissioners. The county commissioners of said county are hereby authorized to issue said bonds in such denominations as they may deem necessary and may provide for their maturity at varying dates, in no case more than 20 years from the date of issuance.

Sec. 7. Sinking fund created. The county commissioners are hereby authorized to create a sinking fund to provide for the payment of said notes or bonds at maturity.

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 Washington County. Such submission shall be at the discretion of the Washington County Board of Commissioners but not later than 18 months after adjournment of the Legislature. Washington 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 Washington County to Raise \$600,000 for Construction of a Detention Center,' 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 aforementioned purposes immediately upon its acceptance by a majority of the legal voters voting at said election; provided that 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 last 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 last 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 Washington County Commissioners and due certificate filed with the Secretary of State.

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

STATEMENT OF FACT

The purpose of this bill is to authorize the County Commissioners of Washington County to raise the sum of money necessary for construction of a detention center.