

MAINE STATE LEGISLATURE

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(EMERGENCY)
FIRST SPECIAL SESSION

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 2360

H. P. 2375

House of Representatives, April 28, 1976

Approved for Introduction by a Majority of the Committee on Reference of Bills pursuant to Joint Order S. P. 635, as Amended.

EDWIN H. PERT, Clerk

Presented by Mr. Farley of Biddeford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SIX

AN ACT to Amend the Authorization for York County to Construct a County Jail and to Increase the Bond Authorization by \$400,000.

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, the citizens of York County should have the option of constructing a county jail on county property at a place other than adjacent to the present county jail; and

Whereas, York County is urgently in need of a new jail facility; 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. P & SL 1975, c. 141 is repealed.

Sec. 2. P & SL 1973, c. 79, §§ 1 and 2, as last amended by P & SL 1975, c. 141, § 1, are repealed and the following enacted in place thereof:

Sec. 1. To raise money for county jail. The county commissioners of the County of York are authorized to raise and expend a sum not exceeding \$1,200,000 for a county jail, to be located on county-owned property.

Sec. 2. Bonds. To provide funds for said county jail, the treasurer of York 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 \$1,200,000 as may be necessary, and may issue bonds therefor which shall bear on their face the words "York County Capital Improvement Bonds, Act of 1973." 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 1976, as will extinguish each loan in not more than 10 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. 3. P & SL 1973, c. 79, § 4 is enacted to read:

Sec. 4. Other funds. In addition to expenditures of the \$1,200,000 of bond proceeds authorized by this chapter, the county commissioners may raise and expend such other funds as may be available for the county jail authorized herein.

Emergency clause, referendum, effective date. 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 York County. Such submission shall be at the special election of June 8, 1976, or at any subsequent time at the discretion of the York County Board of Commissioners but not later than 12 months after adjournment of the Legislature. The York County Board of Commissioners are authorized to expend such funds as are necessary to implement the referendum.

The county clerk shall prepare the required ballots on which he shall state the subject matter of this Act in the following question: "Shall 'AN ACT to Amend the Authorization for York County to Construct a County Jail and to Increase the Bond Authorization by \$400,000,' passed by the first special session of 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 10% 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 10% 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 more such special election to be held within the time prescribed above.

The result of such elections shall be declared by the York County Board of Commissioners and due certificates thereof filed by the county clerk with the Secretary of State.

STATEMENT OF FACT

The purpose of this bill is reflected in the emergency preamble.