

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)

FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1241

H. P. 972

House of Representatives, March 14, 1979

Referred to the Committee on Joint Select Committee on Correctional Institutions. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. D. Carter of Winslow.

Cosponsor: Mr. Cloutier of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Authorize a Bond Issue in the Amount of \$6,500,000 for Acquisition or Construction of Regional Jail Facilities.

Preamble. Two-thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine to establish 5 regional jail facilities.

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

Sec. 1. 34 MRSA § 525, as last amended by PL 1975, c. 756, § 13, is further amended to read:

§ 525. Establishment; purposes

The Bureau of Corrections, as heretofore established within the department, shall be responsible for the direction and general administrative supervision of the correctional programs within the Maine State Prison, the Maine Correctional Center and, the Maine Youth Center and all regional jail facilities established by the Commissioner of Mental Health and Corrections pursuant to section 532.

Sec. 2. 34 MRSA § 532 is enacted to read:

§ 532. Regional jail facilities

1. Establishment. The Commissioner of Mental Health and Corrections is authorized to establish 5 regional jail facilities, one in each of the following counties: Androscoggin, Aroostook, Cumberland, Kennebec and Penobscot. Each jail shall have a capacity of no more than 100 persons, the exact capacity to be set by the commissioner. The commissioner may establish each facility by either acquisition or construction.

2. Purpose. Each regional jail facility shall serve those correctional purposes which the commissioner deems necessary to carry out his responsibility under this Title.

Sec. 3. Authorization of bond issue for acquisition or construction of 5 regional jail facilities.

1. Issue of bonds to provide for construction. The Treasurer of State is authorized, under the direction of the Governor, to issue from time to time serial coupon bonds in the name and behalf of the State to an amount not exceeding \$6,500,000 for the purpose of raising funds to provide for such acquisition or construction as authorized by subsection 6. These bonds shall be deemed a pledge of the faith and credit of the State. These bonds shall not run for a longer period than 20 years from the date of the original issue thereof.

2. Records of bonds issued to be kept by State Auditor and Treasurer of State. The State Auditor shall keep an account of the bonds, showing the number and amount of each, the date of countersigning, the date when payable and the date of delivery thereof to the Treasurer of State, who shall keep an account of each bond, showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of sale and the date when payable.

3. Sale, how negotiated; proceeds appropriated. The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no such bond shall be loaned, pledged or hypothecated in behalf of the State. The proceeds of the sales of these bonds, which shall be held by the Treasurer of State and paid by him upon warrants drawn by the Governor, are appropriated to be used solely for the purposes set forth in this Act. The Treasurer of State is authorized to invest the proceeds of the sale of the bonds during the period when the proceeds are not needed for the purposes set forth in this Act and the interest therefrom shall be paid into the General Fund. Any unencumbered balances remaining at the completion of the projects listed in subsection 6 shall lapse to the debt service account established for the retirement of these bonds.

4. Interest and debt retirement. Interest due or accruing upon any bonds issued under the provisions of this Act and all sums coming due for payment of bonds at maturity shall be paid by the Treasurer of State from any money in the State Treasury not otherwise appropriated.

5. Disbursement of bond proceeds. The proceeds of the bonds shall be expended under the direction and supervision of the Director of the Bureau of Public Improvements.

6. Allocations from General Fund Bond Issue.

1979-80

MENTAL HEALTH AND CORRECTIONS,
DEPARTMENT OF

\$6,500,000

Acquisition or construction of a regional jail facility in each of the following counties: Androscoggin, Aroostook, Cumberland, Kennebec and Penobscot; each facility to be under the control of the Department of Mental Health and Corrections and to be used for such purposes as the commissioner of the department deems necessary.

7. Contingent upon ratification of bond issue. Sections 1 and 2 and section 3, subsections 1 through 6 shall not become effective unless and until the people of the State of Maine shall have ratified the issuance of bonds as set forth in this Act.

Sec. 8. Statutory referendum procedure; submission at special statewide election; effective date. This Act shall be submitted to the legal voters of the State of Maine at a special statewide election to be held on the Tuesday following the first Monday of November following passage of this Act. The city aldermen, town selectmen and plantation assessors of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Act by voting on the following question:

Shall a bond issue in the amount of \$6,500,000 for acquisition or construction of regional jail facilities be ratified?

The legal voters of each city, town and plantation shall vote by ballot on this question, and shall designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns and, if it appears that a majority of the legal votes are in favor of the Act, the Governor shall proclaim that fact without delay, and the Act shall become effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Act necessary to carry out the purposes of this referendum.

STATEMENT OF FACT

The purpose of this bill is to create regional jail facilities in each of 5 counties: Androscoggin, Aroostook, Cumberland, Kennebec and Penobscot.