

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1457

6
7 H.P. 1103

House of Representatives, April 13, 1983

8 Referred to the Committee on Appropriations and Financial Affairs. Sent
9 up for concurrence and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Carter of Winslow.

Cosponsors: Senator Bustin of Kennebec, Senator Perkins of Hancock
and Representative Paradis of Augusta.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Authorize a Bond Issue in the
18 Amount of \$25,000,000 to Rehabilitate and
19 Provide an Access Causeway at Portsmouth Naval
20 Prison at Kittery and Establish a Regional Jail
21 Facility for the Northeastern States.
22

23 Preamble. Two-thirds of both Houses of the
24 Legislature deeming it necessary in accordance with
25 the Constitution of Maine, Article IX, Section 14, to
26 authorize the issuance of bonds on behalf of the
27 State of Maine to rehabilitate and provide an access
28 causeway at the Portsmouth Naval Prison at Kittery
29 and establish a regional jail facility for the
30 northeastern states.

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

33 Sec. 1. Issue of bonds to rehabilitate and pro-
34 vide access by causeway at the Portsmouth Naval

1 Prison at Kittery and establish a regional jail
2 facility. The Treasurer of State may, under the
3 direction of the Governor, issue from time to time
4 serial coupon bonds in the name and in behalf of the
5 State to an amount not exceeding \$25,000,000 to be
6 issued after ratification; for the purpose of raising
7 funds to provide for such capital improvements, con-
8 struction, renovations, equipment and furnishings as
9 authorized by section 6. The bonds shall be deemed a
10 pledge of the faith and credit of the State. The
11 bonds shall not run for a period longer than 20 years
12 from the date of the original issue thereof. Any
13 issuance of bonds may contain a call feature at the
14 discretion of the Treasurer of State with the
15 approval of the Governor.

16 Sec. 2. Records of bonds issued to be kept by
17 the State Auditor and Treasurer of State. The State
18 Auditor shall keep an account of the bonds, showing
19 the number and amount of each, the date when payable
20 and the date of delivery thereof to the Treasurer of
21 State, who shall keep an account of each bond, show-
22 ing the number thereof, the name of the successful
23 bidder to whom sold, the amount received for the
24 bonds, the date of sale and the date when payable.

25 Sec. 3. Sale, how negotiated; proceeds appropri-
26 ated. The Treasurer of State may negotiate the sale
27 of the bonds by direction of the Governor; but no
28 such bond may be loaned, pledged or hypothecated in
29 behalf of the State. The proceeds of the sale of the
30 bonds, which shall be held by the Treasurer of State
31 and paid by him upon warrants drawn by the Governor,
32 are appropriated to be used solely for the purposes
33 set forth in this Act. Any unencumbered balances
34 remaining at the completion of the projects in
35 section 6 shall lapse to the debt service account
36 established for the retirement of these bonds.

37 Sec. 4. Interest and debt retirement. Interest
38 due or accruing upon any bonds issued under the
39 provisions of this Act and all sums coming due for
40 payment of bonds at maturity shall be paid by the
41 Treasurer of State.

42 Sec. 5. Disbursement of bonds' proceeds. The
43 proceeds of these bonds shall be expended under the

1 direction and supervision of the Director of Public
2 Improvements.

3 Sec. 6. Allocations from General Fund bond
4 issue. The following sums are allocated from the
5 General Fund bond issue.

6 1983-84

7 FINANCE AND ADMINISTRATION,
8 DEPARTMENT OF

9 Bureau of Public Improvements \$25,000,000

10 To rehabilitate and provide an
11 access causeway at Portsmouth
12 Naval Prison at Kittery and
13 establish a regional jail
14 facility.

15 Sec. 7. Establishment of regional jail facil-
16 ity. The Commissioner of Corrections may establish a
17 regional jail facility using the facilities renovated
18 pursuant to this Act. The commissioner may promul-
19 gate all rules necessary to carry out the purposes of
20 this section and may enter into agreements with other
21 northern New England states for use of the facility
22 as a regional jail facility.

23 Sec. 8. Contingent upon ratification of bond
24 issue. Sections 1 through 7 of this Act shall not
25 become effective unless and until the people of the
26 State of Maine shall have ratified the issuance of
27 bonds set forth in this Act.

28 Sec. 9. Statutory referendum procedure; submis-
29 sion at statewide election; form of question; effec-
30 tive date. This Act shall be submitted to the legal
31 voters of the State of Maine at a statewide election
32 to be held on the Tuesday following the first Monday
33 of November following passage of this Act. The city
34 aldermen, town selectmen and plantation assessors of
35 this State shall notify the inhabitants of their
36 respective cities, towns and plantations to meet, in
37 the manner prescribed by law for holding a statewide
38 election, to vote on the acceptance or rejection of
39 this Act by voting on the following question:

1 "Shall a bond issue be authorized in the amount
2 of \$25,000,000 to rehabilitate the Portsmouth
3 Naval Prison and construct a causeway and to
4 authorize use of the facility as a regional jail
5 facility?"

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

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

24 STATEMENT OF FACT

25 The purpose of this bill is to authorize a
26 \$25,000,000 bond issue to rehabilitate the
27 Portsmouth Naval Prison and to construct a causeway
28 and to authorize the establishment of a regional jail
29 facility.

30 1122031683