

MAINE STATE LEGISLATURE

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1 THIRD SPECIAL SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 2479

6
7 H.P. 1877

House of Representatives, August 29, 1984

8 Received by the Clerk of the House on August 27, 1984.

9 Referred to the Committee on Appropriations and Financial Affairs, and
ordered printed pursuant to Joint Rule 14.

10 EDWIN H. PERT, Clerk

Presented by Representative Manning of Portland.

11 Cosponsors: Representative Cooper of Windham, Representative Hickey
of Augusta and Representative Drinkwater of Belfast.

12 STATE OF MAINE
13

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

17 AN ACT to Authorize a General Fund Bond
18 Issue in the Amount of \$10,035,000 for
19 Construction and Renovation of Correctional
20 Facilities.
21

22 **Preamble.** Two-thirds of both Houses of the Leg-
23 islature deeming it necessary in accordance with the
24 Constitution of Maine, Article IX, Section 14, to au-
25 thorize the issuance of bonds on behalf of the State
26 of Maine to provide for construction and renovation
27 of correctional facilities.

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

30 **Sec. 1.** Issue of bonds to provide for construc-
31 tion and renovation of correctional facilities. The
32 Treasurer of State is authorized, under the direction
33 of the Governor, to issue from time to time regis-
34 tered bonds in the name and behalf of the State to an
35 amount not exceeding \$10,035,000, for the purpose of

1 raising funds to provide for construction and
2 renovation of correctional facilities as authorized
3 by section 6. The bonds shall be deemed a pledge of
4 the faith and credit of the State. The bonds shall
5 not run for a longer period than 10 years from the
6 date of the original issue thereof. Any issuance of
7 bonds may contain a call feature at the discretion of
8 the Treasurer of State with the approval of the Gov-
9 ernor.

10 Sec. 2. Records of bonds issued to be kept by
11 the State Auditor and Treasurer of State. The State
12 Auditor shall keep an account of the bonds, showing
13 the number and amount of each, the date when payable
14 and the date of delivery thereof to the Treasurer of
15 State who shall keep an account of each bond showing
16 the number thereof, the name of the successful bidder
17 to whom sold, the amount received for the same, the
18 date of sale and the date when payable.

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

31 Sec. 4. Interest and debt retirement. Interest
32 due or accruing upon any bonds issued under this Act
33 and all sums coming due for payment of bonds at matu-
34 rity shall be paid by the Treasurer of State.

35 Sec. 5. Disbursement of bonds proceeds. The
36 proceeds of the bonds shall be expended under the di-
37 rection and supervision of the Director of Public
38 Improvements.

39 Sec. 6. Allocations from General Fund bond
40 issue-correctional facilities. The proceeds of the
41 sale of bonds shall be expended as designated in the
42 following schedule:

1	<u>CORRECTIONS, DEPARTMENT OF</u>	
2	Construction and Renovation-Maine	
3	Correctional Center	\$7,465,000
4	Construction and Renovation-Maine	
5	State Prison	2,300,000
6	Construction and Renovation-Charleston	
7	Correctional Center	<u>270,000</u>
8	TOTAL	\$10,035,000

9 Sec. 7. Transfer between items. The amounts
10 listed after the items in section 6 are to be con-
11 strued as a guide. Any of the amounts may be ex-
12 ceeded with the approval of the Governor by transfer
13 from one item to another not exceeding 10% in the ag-
14 gregate.

15 Sec. 8. Contingent upon ratification of bond is-
16 sue. Sections 1 to 7 shall not become effective un-
17 less and until the people of the State have ratified
18 the issuance of bonds as set forth in this Act.

19 Sec. 9. Appropriation balances at year end. At
20 the end of each fiscal year, all unencumbered appro-
21 priation balances representing state moneys shall
22 carry forward from year to year. If the bond pro-
23 ceeds which have not been expended within 10 years
24 after the date of the sale of the bonds they shall
25 lapse to General Fund debt service.

26 Sec. 10. Statutory referendum procedure; submis-
27 sion at special statewide election; effective
28 date. This Act shall be submitted to the legal vot-
29 ers of the State of Maine at the next general or spe-
30 cial statewide election following passage of this
31 Act. The city aldermen, town selectmen and
32 plantation assessors of this State shall notify the
33 inhabitants of their respective cities, towns and
34 plantations to meet in the manner prescribed by law
35 for holding a statewide election to vote on the ac-
36 ceptance or rejection of this Act by voting on the
37 following question:

1 "Shall a bond issue be authorized in the amount
2 of \$10,035,000 to build and repair prisons?"

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

17 The Secretary of State shall prepare and furnish
18 to each city, town and plantation all ballots, re-
19 turns and copies of this Act necessary to carry out
20 the purposes of this referendum.

21 STATEMENT OF FACT

22 This bill provides for a bond issue in the amount
23 of \$10,035,000 for the construction and renovation of
24 correctional facilities at the Maine Correctional
25 Center, the Maine State Prison and the Charleston
26 Correctional Center.

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