

MAINE STATE LEGISLATURE

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1 (EMERGENCY)
2 (After Deadline)
3 SECOND REGULAR SESSION
4

5 ONE HUNDRED AND TWELFTH LEGISLATURE
6

7 Legislative Document

No. 1822

9 H.P. 1306

House of Representatives, January 13, 1986

10 Approved for introduction by a majority of the Legislative Council
11 pursuant to Joint Rule 27.

12 Reference to the Committee on Local and County Government suggested
and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Vose of Eastport.

13 Cosponsored by Senator Brown of Washington, Representative Connors
of Franklin and Representative Randall of East Machias.

14 STATE OF MAINE
15

16 IN THE YEAR OF OUR LORD
17 NINETEEN HUNDRED AND EIGHTY-SIX
18

19 AN ACT to Adjust the Borrowing Capacity of
20 Washington County.
21

22 Emergency preamble. Whereas, Acts of the Legis-
23 lature do not become effective until 90 days after
24 adjournment unless enacted as emergencies; and

25 Whereas, the voters of Washington County have ap-
26 proved the issuance of bonds to finance the construc-
27 tion of a new jail facility, and the amount of money
28 necessary to complete that facility exceeds the
29 amount authorized for that purpose; and

30 Whereas, it is desirable to complete the new jail
31 facility as soon as possible, and to avoid the costs
32 of additional bond referendum elections in similar
33 instances in the future; and

34 Whereas, in the judgment of the Legislature,
35 these facts create an emergency within the meaning of

1 the Constitution of Maine and require the following
2 legislation as immediately necessary for the preser-
3 vation of the public peace, health and safety; now,
4 therefore,

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

7 30 MRSA §406 is repealed and the following en-
8 acted in its place:

9 §406. Washington County; referendum not required

10 When a loan for the use of Washington County is
11 approved by the voters of that county under section
12 404 and the actual costs for the project for which
13 the loan was authorized exceed the amount authorized
14 to be borrowed, the county commissioners may borrow
15 the additional amount necessary to accomplish the
16 purposes of the original authorized loan, without
17 first obtaining the consent of the county required by
18 section 404, subject to the following limitations.

19 1. No more than 50% of original loan. The
20 amount borrowed by the commissioners under this sec-
21 tion may not exceed 50% of the amount originally au-
22 thorized for the project by the voters.

23 2. Same financing period. The amount borrowed
24 under this section shall be financed over the same
25 period of time as the amount originally authorized by
26 the voters.

27 3. Hearings; notice; referendum at commis-
28 ioners' option. Before obtaining a loan under this sec-
29 tion, the county commissioners must hold at least one
30 public hearing in each of the commissioner districts
31 of the county. The commissioners shall publish a no-
32 tice of each hearing in a newspaper of general circu-
33 lation in the county at least 7 days before the hear-
34 ing. If, after these hearings, the county commis-
35 sioners consider it desirable, they shall obtain the
36 consent of the county as required by section 404, be-
37 fore obtaining a loan under this section.

1 Emergency clause. In view of the emergency cited
2 in the preamble, this Act shall take effect when ap-
3 proved.

4 STATEMENT OF FACT

5 Due to difficulties in estimating the costs for
6 various projects which are financed by bond issue,
7 many times the actual cost of the project exceeds the
8 amount authorized to be borrowed. Since the voters
9 of the county have already indicated their approval
10 of the authorized project, it is reasonable to allow
11 the commissioners to borrow the additional amount
12 needed to complete the project, within reasonable
13 limits.

14 This bill allows the commissioners of Washington
15 County to borrow additional money to complete
16 projects financed by a loan authorized by the voters
17 of the county which proves to be insufficient. The
18 commissioners may borrow up to 50% of the amount
19 originally authorized for the project. This new loan
20 must be financed over the same period of time as the
21 original loan and cannot be obtained until the com-
22 missioners have held hearings to obtain the views of
23 the public on the additional loans. If there is suf-
24 ficient public opposition to the new loan at these
25 hearings, the county commissioners may hold another
26 referendum on the additional loan. Otherwise, the
27 county is saved the expense of conducting another
28 referendum on a project that has already received
29 public approval once.

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