

MAINE STATE LEGISLATURE

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(EMERGENCY)
(New Draft of S.P. 488, L.D. 1470)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 1800

S.P. 610

In Senate, June 9, 1987

Reported by the Majority Report for the Joint Select Committee on Corrections and printed under Joint Rule 2. Original Bill sponsored by Senator Gill of Cumberland. Cosponsored by: Representative Taylor of Camden, Senator Gauvreau of Androscoggin, Representative Manning of Portland.

JOY J. O'BRIEN, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 **AN ACT to Allocate the Proceeds of the Sale**
2 **of General Fund Bonds for Construction**
3 **and Renovation of Correctional**
4 **Facilities.**
5

6 **Emergency preamble.** Whereas, Acts of the Legis-
7 lature do not become effective until 90 days after
8 adjournment unless enacted as emergencies; and

9 Whereas, the voters of the State have ratified a
10 \$16,000,000 General Fund bond issue for construction
11 and renovation of correctional facilities; and

12 Whereas, the legislation which authorized this
13 bond issue specifically requires allocation of the
14 proceeds of the sale of the bonds by the 113th Legis-
15 lature; and

1 Whereas, a special legislative corrections com-
2 mittee has thoroughly reviewed and adopted a proposed
3 plan for utilizing the proceeds from the sale of
4 bonds; and

5 Whereas, it is deemed to be in the best interests
6 of the people of the State to begin to undertake the
7 recommended new construction and renovations in as
8 timely a manner as possible in order to address
9 long-standing needs of the correctional system of the
10 State; and

11 Whereas, in the judgment of the Legislature,
12 these facts create an emergency within the meaning of
13 the Constitution of Maine and require the following
14 legislation as immediately necessary for the preser-
15 vation of the public peace, health and safety; now,
16 therefore,

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

19 Sec. 1. 34-A MRSa §1205, sub-§2, ¶B-1 is enacted
20 to read:

21 B-1. The commissioner shall negotiate fee for
22 service agreements and exchange of service agree-
23 ments with municipalities and other governmental
24 units requesting financial support for services
25 rendered to state correctional facilities newly
26 constructed pursuant to this paragraph. The ef-
27 fective date of this paragraph is July 1, 1989.

28 Sec. 2. 34-A MRSa §1205, sub-§3, ¶C is enacted
29 to read:

30 C. The commissioner shall pay for additional ex-
31 penditures incurred by the counties in providing se-
32 curity and transportation services to committed
33 offenders who commit new offenses while serving
34 their sentences in state correctional facilities.
35 The effective date of this paragraph is July 1,
36 1989.

37 Sec. 3. Allocation of proceeds of the sale of
38 General Fund bonds for construction and renovation of

1 Correctional Facilities. The proceeds of the sale of
2 bonds authorized by Private and Special Law 1985,
3 chapter 142, section 6, are allocated and shall be
4 expended as designated in the following schedule, ex-
5 cept that up to 10% of the amount identified for any
6 one category may be transferred to supplement any
7 other categories subject to the limitation that no
8 one category may be increased more than 10% in the
9 aggregate.

10		<u>Amount</u>
11	Construction of free-standing,	
12	separate maximum security	
13	prison in Warren, Maine for	
14	100 inmates at a site to be	
15	approved by the Joint Select	
16	Committee on Corrections, or,	
17	in the absence of a joint se-	\$11,000,000
18	lect committee, to be approved	
19	by the joint standing commit-	
20	tee of the Legislature having	
21	jurisdiction over corrections	
22	Renovations to key areas of	600,000
23	the existing Maine State Pris-	
24	on	
25	Construction of a 50-bed mini-	1,400,000
26	imum security addition to the	
27	existing Bolduc Unit	
28	Construction of 100 minimum	2,000,000
29	security beds at the Maine	
30	Correctional Center	
31	Construction of a new building	1,000,000
32	at the Charleston Correctional	
33	Facility which will house 50	
34	minimum security inmates	
35		
36	Total	<u>\$16,000,000</u>

37 Sec. 4. Requirement to meet waste water dis-
38 charge standard. Notwithstanding Title 1, section
39 302, with respect to increased volume of waste water

1 discharges from existing prison facilities and pro-
2 posed additions, the Department of Corrections is re-
3 quired to meet the standards established at the time
4 of construction by the Board of Environmental Protec-
5 tion and the Department of Marine Resources, regu-
6 lating waste water discharges into inland and coastal
7 surface waters of Maine.

8 Emergency clause. In view of the emergency cited
9 in the preamble, this Act shall take effect when ap-
10 proved.

11 STATEMENT OF FACT

12 This is a new draft of the allocation bill for
13 corrections which specifies where the proceeds from
14 the sale of General Fund bonds, as required by Pri-
15 vate and Special Law 1985, chapter 142, section 6,
16 shall be spent. This new draft also accomplishes the
17 following:

18 1. Requires that any additional waste water dis-
19 charges produced by the new construction complies
20 with all Department of Environmental Protection and
21 Department of Marine Resources standards in effect at
22 the time the facility or addition is being con-
23 structed;

24 2. Authorizes the Commissioner of Corrections to
25 establish fees for service contracts with municipali-
26 ties in which new prison facilities are constructed;
27 and

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3. Allows for state reimbursement to counties
for additional costs caused by prisoners detained in
state prison facilities.

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