

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

## FIRST REGULAR SESSION - 1989

Legislative Document

No. 1755

H.P. 1258

House of Representatives, June 15, 1989

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

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

EDWIN H. PERT, Clerk

Presented by Representative MANNING of Portland.

Cosponsored by Representative STROUT of Windham, Representative ANTHONY of South Portland and Representative CARROLL of Gray.

### STATE OF MAINE

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

#### **An Act to Authorize Cumberland County to Raise up to \$25,000,000 for Construction of a New Jail Facility for Cumberland County.**

(AFTER DEADLINE)



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

3           **Sec. 1. To raise money for construction of jail facility for Cumberland**  
4 **County.** The county commissioners of the County of Cumberland are  
5 authorized to raise and expend a sum not to exceed \$25,000,000  
6 for construction of a county jail facility located in Cumberland  
7 County.

9           **Sec. 2. Aid from other sources.** The county commissioners of the  
10 County of Cumberland are authorized to borrow any portion of the  
11 sums herein authorized from or through any agency or department  
12 of the State of Maine and of the Federal Government. The county  
13 commissioners are authorized to receive grants of money and other  
14 assistance from or through any agency or department of the State  
15 of Maine and of the Federal Government for any of the purposes  
16 authorized in this Act.

17           **Sec. 3. Bonds.** To provide funds for the county jail  
18 facility, the treasurer of Cumberland County, with the approval  
19 of the county commissioners, may borrow from time to time upon  
20 the full faith and credit of the county such sums, not exceeding  
21 in the aggregate \$25,000,000, as may be necessary and may issue  
22 bonds therefor which shall bear on their face the words  
23 "Cumberland County Capital Improvement Bonds Act of 1989." Each  
24 authorized issue shall be payable in such annual installments,  
25 beginning not more than 2 years from the date thereof and not  
26 earlier than the year 1991, as will extinguish each loan in not  
27 more than 20 years from its date. The bonds shall be signed by  
28 the treasurer of the county and countersigned by the majority of  
29 the county commissioners. The county may sell the securities at  
30 public or private sale upon such terms and conditions as the  
31 county commissioners may deem proper, but at not less than par  
32 and accrued interest.

33           **Sec. 4. Temporary notes.** The county treasurer, with the  
34 approval of the county commissioners, may issue temporary notes  
35 of the county, payable in not more than one year from their  
36 dates, in anticipation of the issue of serial bonds under this  
37 Act and may renew the same, but the time within which such serial  
38 bonds shall become due and payable shall not, by reason of such  
39 temporary notes, be extended beyond the term fixed by this Act.  
40 Any notes issued in anticipation of the serial bonds shall be  
41 paid from the proceeds of the bonds.

42           **Sec. 5. Bonds authorized but not issued.** Any bonds authorized  
43 but not issued, or for which bond anticipation notes have not  
44 been issued within 5 years of the ratification of this Act, shall  
45 be deauthorized and may not be issued, provided that the  
46 Legislature may, within 2 years after the expiration of that  
47 5-year period, extend the period for issuing any remaining  
48 unissued bonds or bond anticipation notes for an additional  
49 amount of time not to exceed 5 years.

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**Sec. 6. Referendum for ratification.** This Act shall be submitted to the legal voters of Cumberland County. The dates of such submission shall be determined by the Cumberland County Board of Commissioners but not later than 18 months after adjournment of the Legislature. The Cumberland County commissioners are authorized to expend such funds as are necessary to implement the referendum.

The county commissioners shall cause the preparation of the required ballots on which they shall state the subject matter of this Act in the following question:

"Shall the issuance of bonds be authorized in an amount not to exceed \$25,000,000 for construction of a new jail facility for Cumberland County?"

The ballot shall also contain the following information to be determined by the county commissioners to be accurate as of the date when it is necessary to begin preparation of the ballot question:

1. A statement as to the total debt service of the requested issue divided into principal and interest and indicating the interest rate and period of the bond; and

2. A statement as to the county's bonded indebtedness prior to the requested bond issue.

The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

This Act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters voting at the election; provided the total number of votes cast for and against the acceptance of this Act equals or exceeds 30% of the total votes for all candidates for Governor cast in the next previous gubernatorial election in the county. If at any such first election, the total number of votes cast for or against acceptance of this Act is less than 30% of the total votes for all candidates for Governor cast in the county in the next previous gubernatorial election, the county commissioners may submit the question to voters not more than one other time within the time prescribed in this section.

The result of such elections shall be declared by the Cumberland County commissioners and due certificate filed with the Secretary of State.

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**STATEMENT OF FACT**

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The purpose of this bill is to authorize the Cumberland County commissioners to seek approval from county voters to raise up to \$25,000,000 for construction and improvement of jail facilities for Cumberland County.