

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST SPECIAL SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 673,
L.D. 1794, Bill, "An Act to Authorize General Fund Bond Issues in
the Amounts of \$14,500,000 and \$35,000,000 for Construction and
Renovation of Correctional Facilities"

Amend the amendment by inserting after the title the
following:

'Amend the bill by striking out all of the title and
inserting in its place the following:

'An Act to Authorize a General Fund Bond Issue in the Amount of
\$49,500,000 for Construction and Renovation of Correctional
Facilities'

Further amend the amendment by striking out everything after
the title and before the statement of fact and inserting in its
place the following:

'Further amend the bill by striking out everything after the
enacting clause and before the emergency clause and inserting in
its place the following:

**'Sec. 1. Authorization of bonds to provide for construction and
renovation of correctional facilities.** The Treasurer of State is
authorized, under the direction of the Governor, to issue from
time to time registered bonds in the name and behalf of the State
to an amount not exceeding \$49,500,000 for the purpose of raising
funds to provide for construction and renovation of correctional
facilities as authorized by section 6. The bonds shall be deemed
a pledge of the full faith and credit of the State. The bonds
shall not run for a longer period than 20 years from the date of
the original issue of the bonds. Any issuance of bonds may
contain a call feature at the discretion of the Treasurer of
State with the approval of the Governor.

2 **Sec. 2. Records of bonds issued to be kept by the State Auditor and**
3 **Treasurer of State.** The State Auditor shall keep an account of the
4 bonds, showing the number and amount of each, the date when
5 payable and the date of delivery of the bonds to the Treasurer of
6 State who shall keep an account of each bond showing the number
7 of the bond, the name of the successful bidder to whom sold, the
8 amount received for the same, the date of sale and the date when
9 payable.

10 **Sec. 3. Sale; how negotiated; proceeds appropriated.** The
11 Treasurer of State may negotiate the sale of the bonds by
12 direction of the Governor, but no bond may be loaned, pledged or
13 hypothecated on behalf of the State. The proceeds of the sale of
14 the bonds, which shall be held by the Treasurer of State and paid
15 by the Treasurer of State upon warrants drawn by the Governor,
16 are appropriated to be used solely for the purposes set forth in
17 this Act. Any unencumbered balances remaining at the completion
18 of the projects in section 6 shall lapse to the debt service
19 account established for the retirement of these bonds.

20 **Sec. 4. Interest and debt retirement.** Interest due or accruing
21 upon any bonds issued under this Act and all sums coming due for
22 payment of bonds at maturity shall be paid by the Treasurer of
23 State.

24 **Sec. 5. Disbursement of bond proceeds.** The proceeds of the
25 bonds set out in section 6 shall be expended under the direction
26 and supervision of the Director of Public Improvements in
27 consultation with the Commissioner of Corrections.

28 **Sec. 6. Allocations from General Fund bond issue; correctional**
29 **facilities.** The proceeds of the sale of bonds shall be expended as
30 designated in the following schedule.

31 **CORRECTIONS. DEPARTMENT OF**

32 Construction and Renovation -	
33 Maine Correctional Center	\$200,000
34 Construction and Renovation -	
35 Maine State Prison	4,510,000
36 Construction and Renovation -	
37 Charleston Correctional Facility	100,000
38 Construction and Renovation -	
39 Maine Youth Center	5,020,000
40 Construction - Juvenile Detention	
41 Facility in Northern Maine	4,500,000

2	Construction and Renovation - Maximum Security Prison, Warren	35,000,000
4	Construction and Renovation - Downeast Correctional Facility	100,000
6		
8	Construction and Renovation - Prerelease Centers	70,000

10	DEPARTMENT OF CORRECTIONS	
	TOTAL	<u>\$49,500,000</u>

12

14 **Sec. 7. Transfer between items.** The amounts listed after the
16 items in section 6 are to be construed as a guide. Any of the
18 amounts may be exceeded with the approval of the Governor by
transfer from one item to another not exceeding 10% in the
aggregate.

18

20 **Sec. 8. Contingent on ratification of bond issue.** Sections 1 to 7
22 shall not become effective unless and until the people of the
State have ratified the issuance of bonds as set forth in this
Act.

24

26 **Sec. 9. Appropriation balances at year end.** At the end of each
28 fiscal year, all unencumbered appropriation balances representing
state money shall carry forward from year to year. Bond proceeds
which have not been expended within 10 years after the date of
the sale of the bonds shall lapse to General Fund debt service.

30

32 **Sec. 10. Bonds authorized but not issued.** Any bonds authorized
34 but not issued, or for which bond anticipation notes have not
36 been issued within 5 years of ratification of this Act, shall be
deauthorized and may not be issued, provided that the Legislature
may, within 2 years after the expiration of that 5-year period,
extend the period for issuing any remaining unissued bonds or
bond anticipation notes for an additional amount of time not to
exceed 5 years.

38

40 **Sec. 11. Referendum for ratification; submission at statewide**
42 **election; form of question; effective date.** This Act shall be submitted
to the legal voters of the State of Maine at a statewide election
following passage of this Act. The city aldermen, town selectmen
and plantation assessors of this State shall notify the
inhabitants of their respective cities, towns and plantations to
meet, in the manner prescribed by law for holding a statewide
election, to vote on the acceptance or rejection of this Act by
voting on the following question:

50 "Shall a bond issue be authorized in the amount of
\$49,500,000 to build and repair prisons?"

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

14 The Secretary of State shall prepare and furnish to each
16 city, town and plantation all ballots, returns and copies of this
Act necessary to carry out the purpose of this referendum.' '

18
20 **STATEMENT OF FACT**

22 This amendment replaces the entire bill and consolidates the
24 authorization for a General Fund bond issue in the amount of
\$49,500,000 for the construction and renovation of correctional
26 facilities into one referendum question. Section 6 of the
amendment designates which facilities will receive which portions
28 of the bond.

Filed by Rep. Foss of Yarmouth
Reproduced and distributed under the direction of the Clerk of the
House
8/22/89

(Filing No. H-722)