

# MAINE STATE LEGISLATURE

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R. of S.

L.D. 1794

(Filing No. S-459)

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STATE OF MAINE  
SENATE  
114TH LEGISLATURE  
FIRST SPECIAL SESSION

SENATE 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.

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

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

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

36 **CORRECTIONS, DEPARTMENT OF**

38	Construction and Renovation -	
40	Maine Correctional Center	\$200,000
42	Construction and Renovation -	
44	Maine State Prison	4,510,000
46	Construction and Renovation -	
48	Charleston Correctional Facility	100,000
50	Construction and Renovation -	
52	Maine Youth Center	5,020,000
	Construction - Juvenile Detention	
	Facility in Northern Maine	4,500,000

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SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 673,  
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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**  
 11 **TOTAL** \$49,500,000

12  
 13 **Sec. 7. Transfer between items.** The amounts listed after the  
 14 items in section 6 are to be construed as a guide. Any of the  
 15 amounts may be exceeded with the approval of the Governor by  
 16 transfer from one item to another not exceeding 10% in the  
 17 aggregate.

18  
 19 **Sec. 8. Contingent on ratification of bond issue.** Sections 1 to 7  
 20 shall not become effective unless and until the people of the  
 21 State have ratified the issuance of bonds as set forth in this  
 22 Act.

23  
 24 **Sec. 9. Appropriation balances at year end.** At the end of each  
 25 fiscal year, all unencumbered appropriation balances representing  
 26 state money shall carry forward from year to year. Bond proceeds  
 27 which have not been expended within 10 years after the date of  
 28 the sale of the bonds shall lapse to General Fund debt service.

29  
 30 **Sec. 10. Bonds authorized but not issued.** Any bonds authorized  
 31 but not issued, or for which bond anticipation notes have not  
 32 been issued within 5 years of ratification of this Act, shall be  
 33 deauthorized and may not be issued, provided that the Legislature  
 34 may, within 2 years after the expiration of that 5-year period,  
 35 extend the period for issuing any remaining unissued bonds or  
 36 bond anticipation notes for an additional amount of time not to  
 37 exceed 5 years.

38  
 39 **Sec. 11. Referendum for ratification; submission at statewide**  
 40 **election; form of question; effective date.** This Act shall be submitted  
 41 to the legal voters of the State of Maine at a statewide election  
 42 to be held on the Tuesday following the first Monday of November  
 43 following passage of this Act. The city aldermen, town selectmen  
 44 and plantation assessors of this State shall notify the  
 45 inhabitants of their respective cities, towns and plantations to  
 46 meet, in the manner prescribed by law for holding a statewide  
 47 election, to vote on the acceptance or rejection of this Act by  
 48 voting on the following question:

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

B. of S.

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 673,  
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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  
of the bond.

28

30

(Senator PERKINS)  
32 SPONSORED BY:



34

COUNTY: Hancock

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(8/22/89) (Filing No. S-459)