MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1962

S.P. 766

In Senate, June 26, 1991

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.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator CAHILL of Sagadahoc

Cosponsored by Representative COLES of Harpswell, Representative SMALL of Bath and Representative CHONKO of Topsham.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND NINETY-ONE

An Act to Allow a Referendum in Sagadahoc County Regarding a Bi-county Work Center with Kennebec County.

(AFTER DEADLINE)

(EMERGENCY)

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2	Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted
4	as emergencies; and
**	Whereas, the adjournment date of the First Regular Session
6	of the 115th Legislature is uncertain; and
8	Whereas, Sagadahoc County has an immediate need for housing for prisoners; and
10	Whereas, Sagadahoc County may have an opportunity to
12	cooperate with Kennebec County on a detention facility, and other opportunities may be available; and
14	Whereas, to meet the immediate need, Sagadahoc County needs
16	a referendum to obtain consent of the county in November; and
18	Whereas, the Maine Revised Statutes, Title 30-A, section 934 incorporates by reference Title 30-A, section 122, which requires
20	the question to be decided at municipalities' annual meetings or elections for choosing state or municipal officers; and
22	
24	Whereas, those elections, which will not take place until 1992, will not meet the proposed schedule; and
26	Whereas, Title 30-A, section 454 requires clarification regarding Sagadahoc County's authorization to own a detention
28	facility outside the county seat or county; and
30	Whereas, Sagadahoc County may have to issue bonds for the detention facility, which must first be approved by the
32	Legislature; and
34	Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of
36	Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and
38	safety; now, therefore,
40	Be it enacted by the People of the State of Maine as follows:
42	Sec. 1. Approval of voters; Sagadahoc County. Notwithstanding the Maine Revised Statutes, Title 30-A, sections 121, 122 and
44	934, Sagadahoc County may seek approval of the voters for a detention facility at the statewide election to be held in
46	November 1991.

2	Sec. 2. Ownership or joint ownership by Sagadahoc County of detention facility outside county seat or county. Consistent with the apparent intent of the Maine Revised Statutes, Title 30-A,
4	section 454, Sagadahoc County may own, or own jointly with another county, a detention facility outside the county seat or
6	county.
8	Notwithstanding Title 30-A, sections 121 and 122, Sagadahoo County may alone own or provide a detention facility outside the
10	county.
12	Sec. 3. Approval of Legislature. Subject to approval of the voters as outlined in section 1 of this Act, the Legislature
14	under the Maine Revised Statutes, Title 30-A, section 936 authorizes Sagadahoc County to issue bonds for a detention
16	facility in an amount not to exceed \$500,000 and with a maturity not to exceed 30 years.
18	Emergency clause. In view of the emergency cited in the
20	preamble, this Act takes effect when approved.
22	STATEMENT OF FACT
24	The purpose of this bill is to clarify that Sagadahoc County
26	may own, or jointly own with another county, outside the county seat or county, a detention facility. It also allows Sagadahoc
28	County to provide a detention facility of its own outside the county.
30	The bill provides legislative approval for the issuance of
32	bonds and authorizes Sagadahoc County to seek approval of the voters for a detention facility at the November 1991 statewide
34	election.