

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1993

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Legislative Document

No. 917

S.P. 301

In Senate, March 15, 1993

**Resolve, to Obtain Land for the Construction of a Juvenile Detention  
Center in Northern Maine.**

(EMERGENCY)

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Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule  
24.

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

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator BALDACCI of Penobscot.

2           **Emergency preamble.** Whereas, Acts and resolves of the  
Legislature do not become effective until 90 days after  
adjournment unless enacted as emergencies; and

4  
6           **Whereas,** legislation requiring that a bond be issued to  
obtain land for the construction of a juvenile detention center  
in Northern Maine has passed and has been ratified by the voters;  
8           and

10           **Whereas,** the Legislature and the people of Maine have  
expressed their desire to have a juvenile detention center  
12           located in Northern Maine by virtue of the passage of this bond  
as approved by the voters in 1985; and

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16           **Whereas,** after attempts were made to acquire this property  
on the open market, it now appears that the only way to acquire  
the property needed for the juvenile detention center is by  
18           condemnation; and

20           **Whereas,** in the judgment of the Legislature, these facts  
create an emergency within the meaning of the Constitution of  
22           Maine and require the following legislation as immediately  
necessary for the preservation of the public peace, health and  
24           safety; now, therefore, be it

26           **Sec. 1. Eminent domain authorized. Resolved:** That the Director  
of the Bureau of General Services may exercise the power of  
28           eminent domain to acquire the property necessary to build a  
juvenile detention center in Northern Maine. The director may  
30           acquire real property or personal property or any interest in  
real or personal property, including rights or easements on  
32           either a temporary or permanent basis. The property necessary  
for the building of the facility must be within Northern Maine.  
34           Any eminent domain proceedings brought pursuant to this resolve  
are governed by the Maine Revised Statutes, Title 23, section 154  
36           and must be initiated within one year of the effective date of  
this resolve.

38           **Emergency clause.** In view of the emergency cited in the  
40           preamble, this resolve takes effect when approved.

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#### STATEMENT OF FACT

46           The Legislature, in Private and Special Law 1989, chapter  
90, approved bonds that authorized the building of a juvenile  
48           detention center in Northern Maine. This resolve authorizes the  
acquisition of property for such a facility in Northern Maine by  
50           eminent domain.