

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST SPECIAL SESSION-1997

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Legislative Document

No. 1860

H.P. 1312

House of Representatives, May 1, 1997

**An Act to Authorize Hancock County to Hold a Referendum Election in November 1997 on a Bond Issue of \$6,000,000 to Construct a New Jail and to Provide Necessary Renovations to the Courthouse to Comply with State Mandates.**

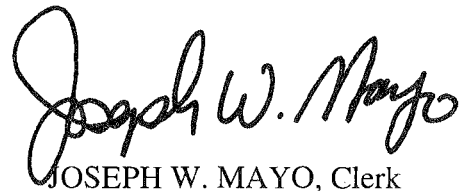
(AFTER DEADLINE)

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

  
JOSEPH W. MAYO, Clerk

Presented by Representative POVICH of Ellsworth.  
Cosponsored by Senator GOLDTHWAIT of Hancock and  
Representatives: BIGL of Bucksport, BUNKER of Kossuth Township, JONES of Bar Harbor,  
LAYTON of Cherryfield, PERKINS of Penobscot, PINKHAM of Lamoine, VOLENIK of  
Brooklin, Senator: RUHLIN of Penobscot.

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

4           **Whereas,** Hancock County needs a new jail facility; and

6           **Whereas,** the need exists for renovations at the Hancock  
8 County courthouse to comply with state mandates; and

10          **Whereas,** the county commissioners must begin the necessary  
preparation of the ballot to be presented to the voters of  
12 Hancock County; and

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

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

22           **Sec. 1. To raise money for construction of jail facility at Hancock**  
**County courthouse.** The county commissioners of Hancock County are  
24 authorized to raise and expend a sum not to exceed \$6,000,000 for  
construction of a jail facility located in Hancock County and to  
26 renovate the Hancock County courthouse according to state  
specifications.

28           **Sec. 2. Aid from other sources.** The county commissioners of  
30 Hancock County are authorized to borrow any portion of the sums  
authorized by this Act from or through any agency or department  
32 of State Government and Federal Government. The county  
commissioners are authorized to receive grants of money and other  
34 assistance from or through any agency or department of State  
Government and Federal Government for any of the purposes  
36 authorized in this Act.

38           **Sec. 3. Bonds.** To provide funds for the county jail  
facility, the treasurer of Hancock County, with the approval of  
40 the county commissioners, may borrow upon the full faith and  
credit of the county such sums as necessary, not exceeding in the  
42 aggregate \$6,000,000, and may issue bonds for those sums that  
must bear on their face the words "Hancock County Capital  
44 Improvement Bonds Act of 1997." Each authorized issue is payable  
in such annual installments, beginning not more than 2 years from  
46 the date of authorization and not earlier than the year 1999, as  
will extinguish each loan in not more than 20 years from its  
48 date. The bonds must be signed by the treasurer of the county  
and countersigned by the majority of the county commissioners.  
50 The county may sell the securities at public or private sale upon

2 the terms and conditions that the county commissioners determine  
proper but at not less than par and accrued interest.

4 **Sec. 4. Temporary notes.** The county treasurer, with the  
approval of the county commissioners, may issue temporary notes  
6 of the county payable not more than one year from their dates in  
anticipation of the issue of bonds under this Act and may renew  
8 those notes, but the time within which the bonds become due and  
payable may not by reason of those temporary notes be extended  
10 beyond the term fixed by this Act. Any notes issued in  
anticipation of the bonds must be paid from the proceeds of the  
12 bonds.

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

22 **Sec. 6. Service fees.** The county may negotiate with the  
24 municipality in which the county jail facility, constructed with  
funds provided under this Act, and the Hancock County courthouse  
26 are located for the annual payment of reasonable service fees  
reflecting the cost of municipal services associated with the  
28 county jail facility and the renovation of the Hancock County  
courthouse.

30 **Sec. 7. Referendum for ratification.** This Act must be submitted  
32 to the legal voters of Hancock County. The dates of the  
submission must be determined by the Hancock County Board of  
34 Commissioners but may not be later than 18 months after  
adjournment of the Legislature. The Hancock County commissioners  
36 are authorized to expend the funds necessary to implement the  
referendum.

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

42 "Do you favor a \$6,000,000 bond issue for construction of a  
44 jail facility and renovations of the Hancock County  
Courthouse?"

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

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

