

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 2186

H.P. 1533

House of Representatives, April 13, 1999

**An Act to Authorize York County to Hold Bond Referenda for New  
County Facilities.**

(AFTER DEADLINE)

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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.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative CHICK of Lebanon.  
Cosponsored by Senator LIBBY of York and  
Representatives: ANDREWS of York, BOWLES of Sanford, COLLINS of Wells, LEMONT  
of Kittery, MacDOUGALL of North Berwick, MURPHY of Berwick, MURPHY of  
Kennebunk, NASS of Acton.

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

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PART A

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6       **Sec. A-1. To raise money for construction of jail facility for York**  
County. The county commissioners of York County are authorized  
to raise and expend a sum not to exceed \$20,000,000 for  
8 construction of a county jail facility located in York County.

10       **Sec. A-2. Aid from other sources.** The county commissioners of  
York County are authorized to borrow any portion of the sums  
12 authorized by this Part from or through any agency or department  
of the State and the Federal Government. The county  
14 commissioners are authorized to receive grants of money and other  
assistance from or through any agency or department of the State  
16 and the Federal Government for any of the purposes authorized in  
this Part.

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20       **Sec. A-3. Bonds.** To provide funds for the county jail  
facility, the treasurer of York County, with the approval of the  
county commissioners, may borrow upon the full faith and credit  
22 of the county such sums as necessary, not exceeding in the  
aggregate \$20,000,000, and may issue bonds for those sums that  
24 must bear on their face the words "York County Capital  
Improvement Bonds Act of 1999, Part A." Each authorized issue is  
26 payable in such annual installments, beginning not more than 2  
years from the date of authorization and not earlier than the  
28 year 2001, as will extinguish each loan in not more than 20 years  
from its date. The bonds must be signed by the treasurer of the  
30 county and countersigned by the majority of the county  
commissioners. The county may sell the securities at public or  
32 private sale upon such terms and conditions as the county  
commissioners may determine proper but at not less than par and  
34 accrued interest.

36       **Sec. A-4. Temporary notes.** The county treasurer, with the  
approval of the county commissioners, may issue temporary notes  
38 of the county payable not more than one year from their dates in  
anticipation of the issue of bonds under this Part and may renew  
40 those notes, but the time within which the bonds become due and  
payable may not by reason of such temporary notes be extended  
42 beyond the term fixed by this Part. Any notes issued in  
anticipation of the bonds must be paid from the proceeds of the  
44 bonds.

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

2           **Sec. A-6. Service fees.** The county may negotiate with the  
municipality in which the county jail facility constructed with  
4 funds provided under this Part is located for the annual payment  
of reasonable service fees reflecting the cost of municipal  
6 services associated with the county jail facility.

8           **Sec. A-7. Referendum for ratification.** This Part must be  
submitted to the legal voters of York County. The dates of the  
10 submission must be determined by the York County Board of  
Commissioners but may not be later than 18 months after  
12 adjournment of the Legislature. The York County commissioners  
are authorized to expend such funds as necessary to implement the  
14 referendum.

16           The county commissioners shall cause the preparation of the  
required ballots on which they shall state the subject matter of  
18 this Part in the following question:

20           "Do you favor a \$20,000,000 bond issue for construction of a  
new jail facility for York County?"

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

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

32           2. A statement of the county's bonded indebtedness prior to  
the requested bond issue.

34           The voters shall indicate by a cross or a check mark placed  
36 against the words "Yes" or "No" their opinion of the question.

38           This Part takes effect immediately upon its acceptance by a  
majority of the legal voters voting at the election provided the  
40 total number of votes cast for and against the acceptance of this  
Part equals or exceeds 30% of the total votes for all candidates  
42 for Governor cast in the next previous gubernatorial election in  
the county. If at the first election the total number of votes  
44 cast for or against acceptance of this Part is less than 30% of  
the total votes for all candidates for Governor cast in the  
46 county in the next previous gubernatorial election, the county  
commissioners may submit the question to voters not more than one  
48 other time within the time prescribed in this section.

50           The result of the elections must be declared by the York  
County commissioners and due certificate filed with the Secretary  
52 of State.

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**PART B**

**Sec. B-1. To raise money for construction of addition to county courthouse for York County.** The county commissioners of York County are authorized to raise and expend a sum not to exceed \$5,000,000 for construction of an addition to the county courthouse located in York County.

**Sec. B-2. Aid from other sources.** The county commissioners of York County are authorized to borrow any portion of the sums authorized by this Part from or through any agency or department of the State and the Federal Government. The county commissioners are authorized to receive grants of money and other assistance from or through any agency or department of the State and the Federal Government for any of the purposes authorized in this Part.

**Sec. B-3. Bonds.** To provide funds for the county courthouse addition, the treasurer of York County, with the approval of the county commissioners, may borrow upon the full faith and credit of the county such sums as necessary, not exceeding in the aggregate \$5,000,000, and may issue bonds for those sums that must bear on their face the words "York County Capital Improvement Bonds Act of 1999, Part B." Each authorized issue is payable in such annual installments, beginning not more than 2 years from the date of authorization and not earlier than the year 2001, as will extinguish each loan in not more than 20 years from its date. The bonds must be signed by the treasurer of the county and countersigned by the majority of the county commissioners. The county may sell the securities at public or private sale upon such terms and conditions as the county commissioners may determine proper but at not less than par and accrued interest.

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

**Sec. B-5. Bonds authorized but not issued.** Any bonds authorized but not issued, or for which bond anticipation notes have not been issued within 5 years of the ratification of this Part, are 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.

**Sec. B-6. Service fees.** The county may negotiate with the municipality in which the county courthouse addition constructed with funds provided under this Part is located for the annual payment of reasonable service fees reflecting the cost of municipal services associated with the county courthouse addition.

**Sec. B-7. Referendum for ratification.** This Part must be submitted to the legal voters of York County. The dates of the submission must be determined by the York County Board of Commissioners but may not be later than 18 months after adjournment of the Legislature. The York County commissioners are authorized to expend such funds as necessary to implement the referendum.

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

"Do you favor a \$5,000,000 bond issue for construction of an addition to the county courthouse for York County?"

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

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

2. A statement of the county's bonded indebtedness prior to the requested bond issue.

The voters shall indicate by a cross or a check mark placed against the words "Yes" or "No" their opinion of the question.

This Part takes effect immediately upon its acceptance by a majority of the legal voters voting at the election provided the total number of votes cast for and against the acceptance of this Part equals or exceeds 30% of the total votes for all candidates for Governor cast in the next previous gubernatorial election in the county. If at the first election the total number of votes cast for or against acceptance of this Part is less than 30% of the total votes for all candidates for Governor cast in the county in the next previous gubernatorial election, the county commissioners may submit the question to voters not more than one other time within the time prescribed in this section.

2           The result of the elections must be declared by the York  
County commissioners and due certificate filed with the Secretary  
of State.

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### SUMMARY

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This bill authorizes the York County commissioners to seek  
approval from county voters to raise \$20,000,000 for construction  
of a new county jail facility and \$5,000,000 for construction of  
an addition to the county courthouse.

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