

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 2129

H.P. 1629

House of Representatives, February 20, 2002

An Act to Authorize a General Fund Bond Issue in the Amount of \$43,000,000 to Improve Homeland Security in Maine, to Renovate a State Office Facility, to Build a New Correctional Facility in Machias and to Make Improvements to the Maine Correctional Center in South Windham.

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative BAGLEY of Machias. (GOVERNOR'S BILL)
Cosponsored by Senator SHOREY of Washington and
Representatives: BUNKER of Kossuth Township, GOODWIN of Pembroke, NORBERT of
Portland, POVICH of Ellsworth, TOBIN of Windham, TUTTLE of Sanford, Senators:
KNEELAND of Aroostook, McALEVEY of York.

2 **Preamble.** Two thirds of both Houses of the Legislature
3 deeming it necessary in accordance with the Constitution of
4 Maine, Article IX, Section 14 to authorize the issuance of bonds
5 on behalf of the State of Maine to provide funds for the
6 protection of the lives and property of Maine citizens, to
7 renovate the Harlow Office Building, to build a new correctional
8 facility in Machias and to make improvements to the Maine
9 Correctional Center in South Windham.

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

12 **Sec. 1. Authorization of bonds to provide funds to protect the lives**
13 **and property of Maine citizens, renovate the Harlow Office Building, build**
14 **a new correctional facility in Machias and make improvements to the**
15 **Maine Correctional Center in South Windham.** The Treasurer of State
16 is authorized, under the direction of the Governor, to issue
17 bonds in the name and on behalf of the State in an amount not
18 exceeding \$43,000,000 for the protection of the lives and
19 property of Maine citizens, to renovate the Harlow Office
20 Building, to build a new correctional facility in Machias and to
21 make improvements to the Maine Correctional Center in South
22 Windham as authorized by section 6. The bonds are a pledge of
23 the full faith and credit of the State. The bonds may not run
24 for a period longer than 10 years from the date of the original
25 issue of the bonds. At the discretion of the Treasurer of State,
26 with the approval of the Governor, any issuance of bonds may
27 contain a call feature.

28 **Sec. 2. Records of bonds issued to be kept by the Treasurer of State.**
29 The Treasurer of State shall keep an account of each bond showing
30 the number of the bond, the name of the successful bidder to whom
31 sold, the amount received for the bond, the date of sale and the
32 date when payable.

33 **Sec. 3. Sale; how negotiated; proceeds appropriated.** The
34 Treasurer of State may negotiate the sale of the bonds by
35 direction of the Governor, but no bond may be loaned, pledged or
36 hypothecated on behalf of the State. The proceeds of the sale of
37 the bonds, which must be held by the Treasurer of State and paid
38 by the Treasurer of State upon warrants drawn by the State
39 Controller, are appropriated solely for the purposes set forth in
40 this Act. Any unencumbered balances remaining at the completion
41 of the project in section 6 lapse to the debt service account
42 established for the retirement of these bonds.

43 **Sec. 4. Interest and debt retirement.** The Treasurer of State
44 shall pay interest due or accruing on any bonds issued under this
45 Act and all sums coming due for payment of bonds at maturity.

46 **Sec. 5. Disbursement of bond proceeds.** The proceeds of the
47 bonds must be expended as set out in section 6 under the

direction and supervision of the Commissioner of Defense,
Veterans and Emergency Management, the Commissioner of
Administrative and Financial Services and the Commissioner of
Corrections.

**Sec. 6. Allocations from General Fund bond issue; capital repairs
and improvements in public facilities.** The proceeds of the sale of
the bonds must be expended as designated in the following
schedule.

**DEFENSE, VETERANS AND EMERGENCY
MANAGEMENT, DEPARTMENT OF**

To protect the lives and property of Maine's citizens by improving
response capability, improving workplace security at government
and other public sites and by conducting vulnerability surveys
and security audits at other critical locations.

\$10,000,000

**ADMINISTRATIVE AND FINANCIAL
SERVICES, DEPARTMENT OF**

To renovate the Augusta East Campus Harlow Building, including all
electrical, water and mechanical systems, roof replacement and
asbestos and mold abatement.

\$8,000,000

CORRECTIONS, DEPARTMENT OF

Construct a new correctional facility in Machias to replace the existing
Downeast Correctional Facility in Bucks Harbor in order to meet the
need for minimum custody prison beds, achieve operational efficiencies and
compliance with state and national environmental and building standards,
and to support enhanced transition programs for prisoners reentering the
community.

\$13,900,000

Construct an infirmary and extended care unit for special needs prisoners, to
modernize existing buildings and to enhance security at the Maine Correctional
Center in South Windham in order to meet

\$11,100,000

2 current and future medical needs of the
prisoner population, support treatment
4 programs for health care, substance
abuse and sex offenders and improve
6 intake and reception.

8 **TOTAL ALLOCATIONS** \$43,000,000

10 **Sec. 7. Contingent upon ratification of bond issue.** Sections 1 to
12 6 of this Act do not become effective unless the people of the
State have ratified the issuance of the bonds as set forth in
this Act.

14 **Sec. 8. Appropriation balances at year-end.** At the end of each
16 fiscal year, all unencumbered appropriation balances representing
state money carry forward. Bond proceeds that have not been
18 expended within 10 years after the date of the sale of the bonds
lapse to General Fund debt service.

20 **Sec. 9. Bonds authorized but not issued.** Any bonds authorized
22 but not issued, or for which bond anticipation notes are not
issued within 5 years of ratification of this Act, are
24 deauthorized and may not be issued; except that the Legislature
may, within 2 years after the expiration of that 5-year period,
26 extend the period for issuing any remaining unissued bonds or
bond anticipation notes for an additional amount of time not to
28 exceed 5 years.

30 **Sec. 10. Referendum for ratification; submission at general election;
form of question; effective date.** This Act must be submitted to the
32 legal voters of the State of Maine at the next general election
in the month of November following passage of this Act. The
34 municipal officers of this State shall notify the inhabitants of
their respective cities, towns and plantations to meet, in the
36 manner prescribed by law for holding a general election, to vote
on the acceptance or rejection of this Act by voting on the
38 following question:

40 "Do you favor a \$43,000,000 bond issue to raise funds for
the protection of the lives and property of Maine citizens,
42 to renovate the Harlow Office Building, to build a new
correctional facility in Machias and to make improvements to
44 the Maine Correctional Center in South Windham?"

46 The legal voters of each city, town and plantation shall
vote by ballot on this question and designate their choice by a
48 cross or check mark placed within a corresponding square below
the word "Yes" or "No." The ballots must be received, sorted,
50 counted and declared in open ward, town and plantation meetings

2 and returns made to the Secretary of State in the same manner as
votes for members of the Legislature. The Governor shall review
4 the returns and, if a majority of the legal votes are cast in
favor of this Act, the Governor shall proclaim the result without
6 delay, and this Act becomes effective 30 days after the date of
the proclamation.

8 The Secretary of State shall prepare and furnish to each
city, town and plantation all ballots, returns and copies of this
10 Act necessary to carry out the purpose of this referendum.

12

14 SUMMARY

The funds provided by this bond issue in the amount of
16 \$43,000,000 will be used for the following purposes:

18 1. The sum of \$10,000,000 to protect the lives and property
of Maine's citizens by improving response capability, improving
20 workplace security at government and other public sites and by
conducting vulnerability surveys and security audits at other
22 critical locations;

24 2. The sum of \$8,000,000 to renovate the Augusta East
Campus Harlow Building, including all electrical, water and
26 mechanical systems, roof replacement and asbestos and mold
abatement;

28

30 3. The sum of \$13,900,000 to construct a new correctional
facility in Machias to replace the existing Downeast Correctional
Facility in Bucks Harbor in order to meet the need for minimum
32 custody prison beds, achieve operational efficiencies and
compliance with state and national environmental and building
34 standards and to support enhanced transition programs for
prisoners reentering the community; and

36

38 4. The sum of \$11,100,000 to construct an infirmary and
extended care unit for special needs prisoners, to modernize
existing buildings and to enhance security at the Maine
40 Correctional Center in South Windham in order to meet current and
future medical needs of the prisoner population, support
42 treatment programs for health care, substance abuse and sex
offenders and improve intake and reception.