

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine

**PRIVATE AND
SPECIAL LAWS**

OF THE

STATE OF MAINE

AS PASSED AT THE

SECOND REGULAR SESSION

of the

ONE HUNDRED AND TWELFTH LEGISLATURE

1985

committee of the Legislature having jurisdiction over marine resources has reviewed these recommendations.

Effective July 16, 1986.

CHAPTER 89

H.P. 1461 - L.D. 2058

AN ACT to Validate Proceedings Authorizing the Issuance of Bonds to Remodel the Waldo County Court Building.

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

Whereas, House Paper 282, Legislative Document 352, presented to the 112th Legislature was submitted for the purpose of obtaining authority for Waldo County to issue bonds for the renovation of and addition to the Waldo County court building; and

Whereas, section 1 of Legislative Document 352 authorized the County Commissioners of Waldo County to raise and expend a sum not exceeding \$485,000 for such a purpose and section 3 of Legislative Document 352 authorized the Treasurer of Waldo County, with the approval of the county commissioners, to borrow such a sum and to issue self-liquidating bonds for that sum; and

Whereas, section 5 of Legislative Document 352 stated that the Act should take effect when approved only for the purpose of submission to the legal voters of Waldo County and further provided that the ballots for use in the referendum should carry the following language:

"Shall the County Commissioners of Waldo County be authorized to issue bonds in the amount of \$485,000 to remodel the Waldo County Court Building, these bonds to be retired in 16 years through long-term leases with the court and other state and federal agencies?"; and

Whereas, Legislative Document 352, finally enacted as Private and Special Law 1985, chapter 14, conferred identical authority to issue bonds, but section 5 of chapter 14 made changes in the language to be used on the ballots and further required the

disclosure of certain information relating to debt service for the issue as follows:

"The county commissioners shall cause the preparation of the required ballots on which they shall state the subject matter of this Act in the following question with the accompanying statement concerning estimated debt service:

'Do you favor a \$485,000 bond issue to renovate and add to the Waldo County Court Facility?'

The total estimated debt service for this issue is \$777,605, of which principal is \$485,000 and estimated interest is \$292,605, at an average rate of 8.56% over 15 years. Waldo County currently has no bond indebtedness." ; and

Whereas, warrants and ballots with the language required by Legislative Document 352 in its original form were used in the general election in Waldo County held on November 5, 1985, and the specific language and information relating to debt service required by Private and Special Law 1985, chapter 14, was not included on the warrants and ballots; and

Whereas, the voters of Waldo County approved the Act with 2,670 votes in favor and 2,531 votes opposed, but by the use of ballots which contained the language of the original Legislative Document 352 instead of the language required by chapter 14 as finally enacted and which omitted the required information relating to debt service; and

Whereas, as required by Legislative Document 352, both in its original form and as finally enacted as chapter 14, the total votes cast for or against acceptance of the Act exceeded 30% of the total votes for all candidates for Governor cast in the last previous gubernatorial election in the county; and

Whereas, Waldo County, acting through its commissioners, proposes to renovate and add to the court facility and must award contracts in the immediate future for engineering and construction and proposes to apply to the Maine Municipal Bond Bank for the purchase by the bond bank of not in excess of \$485,000 principal amount of bonds to be issued by Waldo County, the proceeds to be used as set out in this preamble; and

Whereas, in view of the fact that the wording on the ballot was not in the precise form as required by

Private and Special Law 1985, chapter 14, as finally enacted and that the ballots did not contain the information relating to debt service and indebtedness required by chapter 14, it will be impossible to obtain necessary legal approval for the issue of bonds for the renovation and addition to the Waldo County Court Facilities; and

Whereas, the renovation and addition to the county court in Waldo County is essential to the efficient operation and administration of the court; and

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

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

Sec. 1. Referendum vote validated. The majority vote of the voters of Waldo County at the referendum election held November 5, 1985, approving the issuance of bonds for the renovation and additions to the Waldo County Courthouse in an amount up to \$485,000 is declared to have resulted from an election conducted in accordance with the requirements of Legislative Document 352 in the form finally enacted as Private and Special Law 1985, chapter 14.

Sec. 2. Authorization. Waldo County, acting through its county commissioners, may issue and sell its bonds in a principal amount not exceeding \$485,000 pursuant to Private and Special Law 1985, chapter 14, without the necessity of further proceedings by the voters of Waldo County. The proceedings taken at the election held November 5, 1985, wherein a majority of those voting at the election authorized the County Commissioners of Waldo County to issue bonds in an amount not exceeding \$485,000, and all actions relating to the renovation and addition to the courthouse taken by the county commissioners, officers and agents of Waldo County pursuant to the authority thereby granted are confirmed, validated and made effective.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective March 10, 1986.
