

MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FOURTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

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IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1989

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST REGULAR SESSION

of the

ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

CHAPTER 63

H.P. 1258 - L.D. 1755

An Act to Authorize Cumberland County to Raise up to \$25,000,000 for Construction of a New Jail Facility for Cumberland County**Be it enacted by the People of the State of Maine as follows:**

Sec. 1. To raise money for construction of jail facility for Cumberland County. The county commissioners of the County of Cumberland are authorized to raise and expend a sum not to exceed \$25,000,000 for construction of a county jail facility located in Cumberland County.

Sec. 2. Aid from other sources. The county commissioners of the County of Cumberland are authorized to borrow any portion of the sums herein authorized from or through any agency or department of the State of Maine and of 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 of Maine and of the Federal Government for any of the purposes authorized in this Act.

Sec. 3. Bonds. To provide funds for the county jail facility, the treasurer of Cumberland County, with the approval of the county commissioners, may borrow from time to time upon the full faith and credit of the county such sums, not exceeding in the aggregate \$25,000,000, as may be necessary and may issue bonds therefor which shall bear on their face the words "Cumberland County Capital Improvement Bonds Act of 1989." Each authorized issue shall be payable in such annual installments, beginning not more than 2 years from the date thereof and not earlier than the year 1991, as will extinguish each loan in not more than 20 years from its date. The bonds shall 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 deem proper, but at not less than par and accrued interest.

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

Sec. 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 Act, shall be 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. 6. Service fees. The county may negotiate with the municipality in which the county jail facility constructed with funds provided under this Act is located for the annual payment of reasonable service fees reflecting the cost of municipal services associated with the county jail facility.

Sec. 7. Referendum for ratification. This Act shall be submitted to the legal voters of Cumberland County. The dates of such submission shall be determined by the Cumberland County Board of Commissioners but not later than 18 months after adjournment of the Legislature. The Cumberland County commissioners are authorized to expend such funds as are 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 Act in the following question:

"Shall the issuance of bonds be authorized in an amount not to exceed \$25,000,000 for construction of a new jail facility for Cumberland County?"

The ballot shall also contain the following information to be 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 as to 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 as to the county's bonded indebtedness prior to the requested bond issue.

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

This Act shall take effect for all the purposes hereof 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 Act 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 any such first election, the total number of votes cast for or against acceptance of this Act 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.

The result of such elections shall be declared by the Cumberland County commissioners and due certificate filed with the Secretary of State.

Effective pending referendum.