

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

SECOND REGULAR SESSION
January 2, 2002 to April 25, 2002

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 25, 2002

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

J.S. McCarthy Company
Augusta, Maine
2002

funds to remove and replace failing septic systems;

5. The sum of \$1,000,000 to clean up uncontrolled hazardous substance sites;

6. The sum of \$500,000 to remediate solid waste landfills;

7. The sum of \$500,000 to clean up tire stockpiles;

8. The sum of \$500,000 to provide funds for the Dam Repair and Reconstruction Fund and the renovation of and capital repairs and improvements to locks under the control of the Bureau of Parks and Lands;

9. The sum of \$1,800,000 to support drinking water system improvements that address public health threats, providing the state match for \$6,000,000 in federal funds;

10. The sum of \$2,300,000 to acquire the technology and services required to establish an Internet-based Maine public library of geographic data, to improve citizens' access to public geographic data, to make grants to municipalities for voluntary automation of parcel and zoning maps to uniform standards, to provide the state match for at least \$1,600,000 in federal funds and to participate in intergovernmental data development agreements;

11. The sum of \$1,500,000 to support household hazardous waste collection and public recycling;

12. The sum of \$1,000,000 to construct new or retrofit existing pollution control structures on Maine farms to protect the environment;

13. The sum of \$500,000 to construct environmentally sound water sources that help avoid drought damage to crops; and

14. The sum of \$500,000 to recapitalize the Potato Marketing Improvement Fund?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns and, if a majority of the legal votes are cast in favor of this Act, the Governor shall proclaim the result without delay, and this Act becomes effective 30 days after the date of the proclamation.

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

Effective pending referendum.

CHAPTER 72

H.P. 1629 - L.D. 2129

An Act to Authorize a General Fund Bond Issue in the Amount of \$25,000,000 to Build a New Correctional Facility in Machias and to Make Improvements to the Maine Correctional Center in South Windham

Preamble. Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14 to authorize the issuance of bonds on behalf of the State of Maine to build a new correctional facility in Machias and to make improvements to the Maine Correctional Center in South Windham.

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

Sec. 1. Authorization of bonds to build a new correctional facility in Machias and make improvements to the Maine Correctional Center in South Windham. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$25,000,000 to build a new correctional facility in Machias and to make improvements to the Maine Correctional Center in South Windham as authorized by section 6. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 10 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature.

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

Sec. 3. Sale; how negotiated; proceeds appropriated. The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which must be held by the Treasurer of State

and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in section 6 lapse to the debt service account established for the retirement of these bonds.

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

Sec. 5. Disbursement of bond proceeds. The proceeds of the bonds must be expended as set out in section 6 under the direction and supervision of 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.

**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
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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 current and future medical needs of the prisoner population, support treatment programs for health care, substance abuse and sex offenders and improve intake and reception.	\$11,100,000
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TOTAL ALLOCATIONS	\$25,000,000
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Sec. 7. Contingent upon ratification of bond issue. Sections 1 to 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.

Sec. 8. Appropriation balances at year-end. At the end of each fiscal year, all unencumbered

appropriation balances representing state money carry forward. Bond proceeds that have not been expended within 10 years after the date of the sale of the bonds lapse to General Fund debt service.

Sec. 9. Bonds authorized but not issued. Any bonds authorized but not issued, or for which bond anticipation notes are not issued within 5 years of ratification of this Act, are deauthorized and may not be issued; except 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. 10. Referendum for ratification; submission at general election; form of question; effective date. This Act must be submitted to the legal voters of the State of Maine at the next general election in the month of November following passage of this Act. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a general election, to vote on the acceptance or rejection of this Act by voting on the following question:

"Do you favor a \$25,000,000 bond issue to raise funds to build a new correctional facility in Machias and to make improvements to the Maine Correctional Center in South Windham?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns and, if a majority of the legal votes are cast in favor of this Act, the Governor shall proclaim the result without delay, and this Act becomes effective 30 days after the date of the proclamation.

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

Effective pending referendum.
