



129th MAINE LEGISLATURE

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Legislative Document

No. 1333

H.P. 961

House of Representatives, March 21, 2019

**An Act To Authorize a General Fund Bond Issue To Establish a
Maine County Correctional Facilities Revolving Construction and
Improvement Fund**

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative STANLEY of Medway.

Cosponsored by Representatives: CAMPBELL of Orrington, HANLEY of Pittston, RILEY of Jay, VEROW of Brewer, WHITE of Waterville.

1 **MAINE COUNTY CORRECTIONAL FACILITIES REVOLVING**
2 **CONSTRUCTION AND IMPROVEMENT FUND**

3 **§1681. Definitions**

4 As used in this subchapter, unless the context otherwise indicates, the following
5 terms have the following meanings.

6 **1. Board.** "Board" means the Maine County Correctional Facilities Construction
7 and Improvement Board established under section 1683.

8 **2. Fund.** "Fund" means the Maine County Correctional Facilities Revolving
9 Construction and Improvement Fund established under section 1682.

10 **§1682. Maine County Correctional Facilities Revolving Construction and**
11 **Improvement Fund**

12 **1. Fund established.** The Maine County Correctional Facilities Revolving
13 Construction and Improvement Fund is established as a nonlapsing, interest-earning
14 revolving fund administered by the board under section 1683.

15 **2. Sources of fund.** Sources of the fund may include:

16 A. Money appropriated or allocated by the State for inclusion in the fund;

17 B. Money that the board receives in repayment of loans from the fund;

18 C. Interest, dividends and pecuniary gains from investment of money in the fund;

19 D. Money from any bond issues approved by the voters of the State for the purposes
20 of the fund; and

21 E. Money otherwise made available to the board for the purposes of the fund.

22 **3. Application of fund.** Money in the fund may be loaned to a county for a project
23 to construct, repair or upgrade a county correctional facility pursuant to section 1683,
24 subsection 4.

25 **§1683. Maine County Correctional Facilities Construction and Improvement Board**

26 **1. Establishment.** The Maine County Correctional Facilities Construction and
27 Improvement Board is established to administer the fund.

28 **2. Members.** The board consists of the following members:

29 A. The Treasurer of State or the treasurer's designee;

30 B. The Commissioner of Administrative and Financial Services or the
31 commissioner's designee;

32 C. Two county commissioners appointed by the Governor from a list of nominees
33 prepared by an association of county commissioners in the State; and

1 D. Two sheriffs appointed by the Governor from a list of nominees prepared by a
2 sheriffs' association in the State.

3 **3. Terms.** Members of the board who are appointed serve for a term not to exceed 3
4 years.

5 **4. Duties.** The board shall administer the fund.

6 A. The board may receive and invest on behalf of the fund money made available to
7 the board for the use of the fund in addition to money appropriated or allocated by the
8 State or from bond issues approved by the voters of the State. Loan repayments
9 under this subchapter must be invested by the board, as provided by law, with the
10 income earned to be added to the fund. The board may divide the fund into separate
11 accounts as determined necessary or convenient to accomplish the purposes of the
12 fund.

13 B. The board may approve an application for a loan to a county to accomplish the
14 purposes of the fund. A loan from the fund must be approved at a referendum of the
15 voters of the county where the project is located. The debt incurred is the obligation
16 of the county that receives the loan.

17 **Sec. B-2. Staggered terms.** Notwithstanding the Maine Revised Statutes, Title
18 30-A, section 1683, subsection 3, of the members of the Maine County Correctional
19 Facilities Construction and Improvement Board who are county commissioners, the first
20 appointed by the Governor serves for a term of 2 years and the 2nd serves for a term of 3
21 years, and of the members of the board who are sheriffs, the first appointed by the
22 Governor serves for a term of 2 years and the 2nd serves for a term of 3 years.

23 **Sec. B-3. Contingent effective date.** This Part takes effect only if the General
24 Fund bond issue proposed in Part A is approved by the voters of this State.

25 SUMMARY

26 This bill provides for a bond issue, in the amount of \$100,000,000, to fund the
27 construction, repair and upgrading of county correctional facilities. The bill establishes
28 the Maine County Correctional Facilities Revolving Construction and Improvement Fund
29 to receive the bond money and the Maine County Correctional Facilities Construction and
30 Improvement Board to administer the fund. The bill allows money in the fund to be
31 loaned to a county for a project to construct, repair or upgrade a county correctional
32 facility and requires a loan from the fund to be approved at a referendum of the voters of
33 the county where the project is located.