

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

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**Legislative Document**

**No. 48**

H. P. 27

House of Representatives, January 11, 1967

Referred to Committee on Education. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Richardson of Cumberland.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-SEVEN

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**AN ACT to Validate Proceedings Authorizing the Issuance of Bonds or Notes  
by School Administrative District No. 51.**

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**Emergency preamble.** Whereas, the management and control of the public schools located in the Towns of Cumberland and North Yarmouth have been assumed by School Administrative District No. 51 which embraces the territory in said municipalities; and

Whereas, the school buildings which house elementary schools in the Towns of Cumberland and North Yarmouth are inadequate and overcrowded and the school building which houses a high school in said Cumberland is inadequate and overcrowded and it is imperative that construction of a new elementary school and additions to the high school in said Cumberland be completed as soon as possible to relieve such conditions; and

Whereas, funds for capital outlay purposes are required by School Administrative District No. 51 in order to construct said elementary school and high school additions; and

Whereas, at district meetings held on April 29, 1966 and September 23, 1966, the inhabitants of School Administrative District No. 51 voted in the affirmative to authorize the school directors to issue bonds or notes for capital outlay purposes for the construction of an elementary school and additions to the high school located in the Town of Cumberland; and

Whereas, although all statutory procedure and requirements for the calling of said district meetings were followed, bond counsel for the proposed issuance of bonds or notes have raised questions as to the technical sufficiency of published notices required by the bylaws of the Town of Cumberland, thus raising doubts

as to the sufficiency of the proceedings to authorize issuance of bonds or notes with consequent delay in eliminating the inadequate and overcrowded conditions in said public schools ; and

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

**Authorization.** School Administrative District No. 51, composed of the residents of and territory within the Towns of Cumberland and North Yarmouth, is authorized to issue and sell bonds or notes in its name for capital outlay purposes not to exceed in principal amount \$1,149,000 pursuant to the applicable provisions of Revised Statutes, Title 20, section 304, as amended, without the necessity of further proceedings in the member towns, and said district is hereby authorized to issue temporary notes and renewal notes for such capital outlay purposes in anticipation of state aid for school construction in an amount not to exceed the amount of such state aid to which the district is entitled as determined by the Commissioner of Education pursuant to statute; provided, however, that to the extent that notes in anticipation of such state aid have been issued, the amount of capital outlay bonds or notes which the school directors are so authorized to issue in the name of the district shall be reduced, to the end that the aggregate principal amount of such bonds or notes, including notes in anticipation of state aid, shall not exceed \$1,149,000 outstanding at any one time. The proceedings taken in the district meetings held in each member town on April 29, 1966 and September 23, 1966 wherein it was voted to authorize the School Directors of School Administrative District No. 51 to issue bonds or notes in the name of said district for capital outlay purposes in an amount not to exceed \$1,149,000 are hereby confirmed, validated and made effective.

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