

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 195

H. P. 131

House of Representatives, January 19, 1967

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

BERTHA W. JOHNSON, Clerk

Presented by Mr. Buck of Southport.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT Relating to the Powers and Purposes of the Town of Wiscasset School District.

Emergency preamble. Whereas, there is a vital need for safe and adequate elementary and secondary school facilities in the Town of Wiscasset; and

Whereas, the present buildings housing the elementary school are overcrowded and antiquated and are detrimental to the public welfare; and

Whereas, neither the present borrowing capacity of the Town of Wiscasset nor of the Town of Wiscasset School District will allow the borrowing of sufficient funds for necessary construction and equipment; and

Whereas, it is imperative that action be taken at the earliest possible moment to relieve these conditions; 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. P. & S. L., 1959, c. 136, § 1, subsection II, amended. Subsection II of section 1 of chapter 136 of the private and special laws of 1959 is amended to read as follows:

II. To erect, enlarge, equip, maintain and repair a ~~secondary~~ school or schools and related athletic and recreational facilities;

Sec. 2. P. & S. L., 1959, c. 136, § 4, amended. The first paragraph of section 4 of chapter 136 of the private and special laws of 1959, as amended by chapter 19 of the private and special laws of 1961, is further amended to read as follows:

To procure funds to carry out the purposes of this Act and to cover necessary expenses, the district may from time to time borrow money and issue bonds and notes, but may not incur a total ~~debt~~ indebtedness outstanding at any one time exceeding ~~\$185,000~~ \$1,100,000.

Sec. 3. P. & S. L., 1959, c. 136, § 4, amended. The 4th sentence of the 2nd paragraph of section 4 of chapter 136 of the private and special laws of 1959 is amended to read as follows:

The bonds and notes are legal obligations of the district, which is hereby declared to be a quasi-municipal corporation within the meaning of the Revised Statutes of ~~1954, chapter 53, section 137 and chapter 90-A, section 23, as enacted by the public laws of 1957, chapter 405, section 7 and 1964, Title 13, section 144 and Title 30, section 5053 or any Acts additional, supplemental or in replacement thereof~~ and all the provisions of said sections shall be applicable thereto.

Sec. 4. P. & S. L., 1959, c. 136, § 5, amended. The 4th sentence of section 5 of chapter 136 of the private and special laws of 1959 is amended to read as follows:

Money in a sinking fund may be deposited in any savings bank within the State or invested as are the funds of savings banks as provided in the Revised Statutes of ~~1954, chapter 59, section 19-I, as enacted by section 7 of chapter 380 of the public laws of 1955~~ 1964, Title 9, chapter 51 or any Acts additional, supplemental or in replacement thereof.

Sec. 5. P. & S. L., 1959, c. 136, § 8, amended. The first sentence of section 8 of chapter 136 of the private and special laws of 1959 is amended to read as follows:

The Town of Wiscasset School District may receive from the Town of Wiscasset, and the Town of Wiscasset may convey to the district, any property of the Town of Wiscasset held for ~~secondary~~ school purposes and any money or other assets which the Town of Wiscasset obtains for ~~secondary~~ school purposes.

Sec. 6. P. & S. L., 1959, c. 136, § 3-A, amended. The first sentence of section 3-A of chapter 136 of the private and special laws of 1959, as enacted by chapter 81 of the private and special laws of 1961, is amended to read as follows:

The trustees of the Town of Wiscasset School District are authorized to lay out and take real estate in the Town of Wiscasset for the enlargement or extension of any location designated and used for ~~secondary~~ school purposes by said Town of Wiscasset School District.

Sec. 7. P. & S. L., 1959, c. 136, § 7, amended. Section 7 of chapter 136 of the private and special laws of 1959 is amended to read as follows:

Sec. 7. Provisions for termination of the board of trustees. When the school building or buildings and related facilities have been completed and occupied by pupils of the district, the board of trustees of the district has discharged all of its principal obligations and the property of the district is free of all debt, the board of trustees shall automatically cease to function and the management of the property of the district shall revert to the superintending school committee of the Town of Wiscasset and the then president and treasurer of the district shall cause to be executed, signed and delivered a sufficient deed of all the property of the district to the Town of Wiscasset. All money remaining in the treasury of the district at the time the trustees cease to function shall revert to the Town of Wiscasset.

Emergency clause; referendum; effective date. In view of the emergency cited in the preamble, this Act shall take effect when approved, only for the purpose of permitting its submission to the voters of the Town of Wiscasset at any regular or special town meeting called for the purpose not later than 4 months after approval of this Act. Any special meeting shall be called, notified and conducted according to law, but the registrar of voters in the Town of Wiscasset need not prepare for posting, nor post, a new list of voters. For the purpose of registration of voters, the registrar of voters shall be in session one hour next preceding the special meeting.

The town clerk shall prepare the required ballots, on which he shall reduce the subject matter of this Act to the following question: "Shall the Act Relating to the Powers and Purposes of the Town of Wiscasset School District, passed by the 103rd Legislature, be accepted?" 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 immediately upon its acceptance by a majority of the voters voting at said meeting, but only if the total number of votes cast for and against the acceptance of this Act is at least 10% of the total vote for all candidates for Governor in the Town of Wiscasset at the next previous gubernatorial election.

The result of the vote shall be declared by the municipal officers of the Town of Wiscasset and a due certificate thereof shall be filed by the town clerk with the Secretary of State.