

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
SECOND SPECIAL SESSION

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ONE HUNDRED AND THIRD LEGISLATURE

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**Legislative Document**

**No. 1814**

S. P. 757

In Senate, January 9, 1968

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

JERROLD B. SPEERS, Secretary

Presented by Senator Sproul of Lincoln.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-EIGHT

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**AN ACT to Reconstitute School Administrative District No. 40 and to Validate Proceedings Authorizing the Issuance of Bonds or Notes Thereof.**

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**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, School Administrative District No. 40 is now composed of the inhabitants and territory within the Towns of Friendship, Union, Waldoboro, Warren and Washington, said Town of Friendship having joined the district on October 2, 1967; and

Whereas, funds for capital outlay purposes are required by said School Administrative District in order to construct a new secondary school, which construction is now in progress; and

Whereas, at a district meeting held on February 7, 1967, the member towns of the district voted to authorize the school directors of School Administrative District No. 40 to issue bonds or notes for capital outlay purposes for the construction of a district secondary school in the Town of Waldoboro, and at a district meeting held on November 7, 1967, the member towns of the district voted to issue additional bonds or notes to complete construction of said district secondary school; and

Whereas, doubt exists whether the form of the agreement by which the Town of Friendship voted to join said district complied in all respects with all the applicable requirements of law relative to the admission of towns to School Administrative Districts; 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. School Administrative District No. 40 reconstituted and established; validation of proceedings in member municipalities.** The municipalities of Friendship, Union, Waldoboro, Warren and Washington are constituted to be and to have been since October 2, 1967, a School Administrative District, known as School Administrative District No. 40, with all of the powers, privileges and franchises granted to School Administrative Districts according to the Revised Statutes, Title 20, sections 211 to 307, as amended, the provisions of which, except sections 215 and 216, are incorporated in, made a part of this Act and reenacted with the same effect as if set forth verbatim herein. The proceedings taken in town meetings held in the municipalities of Friendship, Union, Waldoboro, Warren and Washington, wherein it was voted that Friendship join School Administrative District No. 40 are validated, confirmed and made effective.

**Sec. 2. Validation of election and proceedings of school directors and action by officers and agents.** The school directors of School Administrative District No. 40, selected in the several said municipalities to serve as such, are declared to be and to have been duly elected and qualified for the respective terms for which each was elected, and all of the proceedings of the board of school directors of said district as said board was from time to time constituted and as shown by the records of said district and all of the action duly taken in accordance therewith by the officers and agents of said district are validated, confirmed and made effective.

**Sec. 3. Amendments.** Any amendments of, additions to, or changes in said sections 211 to 307 which may hereafter be enacted shall, unless otherwise specifically provided therein, be deemed to apply to and to govern said School Administrative District No. 40.

**Sec. 4. Authorization.** School Administrative District No. 40, composed of the residents of and the territory within the Towns of Friendship, Union, Waldoboro, Warren and Washington, is authorized to incur indebtedness not exceeding the principal amount of \$2,073,250 for capital outlay purposes under and pursuant to the applicable provisions of the Revised Statutes, Title 20, section 304, as amended, without the necessity of further proceedings in the member towns, said indebtedness consisting of not exceeding \$994,000 bonds or notes of said district and not exceeding \$781,000 notes in anticipation of state aid for school construction as authorized at the district meeting held in the member towns of Union, Waldoboro, Warren and Washington on February 7, 1967 and not exceeding \$298,250 bonds or notes of said district as authorized at the district meeting held in said towns and in the Town of Friendship on November 7, 1967. All of the present 5 member towns shall be obligated for their respective shares of the indebtedness created by such bonds or notes in proportions as provided by Title 20, section 305, as amended. The proceedings taken in the aforesaid district meetings held on February 7, 1967 and November 7, 1967 and all action

heretofore taken pursuant thereto by the school directors, officers and agents of said district are confirmed, validated and made effective.

**Sec. 5. Saving clause.** If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

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