# MAINE STATE LEGISLATURE

The following document is provided by the

LAW AND LEGISLATIVE DIGITAL LIBRARY

at the Maine State Law and Legislative Reference Library

http://legislature.maine.gov/lawlib



Reproduced from scanned originals with text recognition applied (searchable text may contain some errors and/or omissions)

## (EMERGENCY) FIRST SPECIAL SESSION

### ONE HUNDRED AND FOURTH LEGISLATURE

### Legislative Document

No. 1674

H. P. 1345

Committee on Legal Affairs suggested.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Mosher of Gorham.

#### STATE OF MAINE

## IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND SEVENTY

### AN ACT Clarifying and Correcting an Omission in the Charter of the Town of Gorham.

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

Whereas, there may be urgent need for the construction of various capital improvements in the Town of Gorham within a period of 90 days after the adjournment of the Legislature, which improvements must be financed by the issuance of general obligation securities; and

Whereas, the charter of the Town of Gorham does not provide, either specifically or by reference to the Revised Statutes, for the manner by which general obligation securities may be authorized and issued by said town; and

Whereas, doubt exists as to the manner by which said Town of Gorham may legally issue such securities to finance the construction of such capital improvements, thus raising doubt as to the legality of any proceedings to authorize the issuance of the necessary bonds or notes; 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., 1967, c. 57, Art. II, § 204, sub-§§ 204.16 & 204.17, additional. Section 204 of article II of chapter 57 of the private and special laws of 1967 is amended by adding 2 new subsections to read as follows:

- 204.16. Authorize and issue general obligation securities, provided that no such securities shall be issued to finance a proposed capital expenditure over \$100,000 unless such proposed expenditure shall first have been approved by referendum vote pursuant to section 901.
- 204.17. Act as the legislative body of the town and exercise all other powers now or hereafter given to inhabitants of towns acting in town meeting, subject to the provisions of article IX.
- Sec. 2. P. & S. L., 1967, c. 57, Art. IX, § 905, additional. Article IX of chapter 57 of the private and special laws of 1967 is amended by adding a new section 905, to read as follows:
- Sec. 905. Notice of referenda. Notice of the time, place and purpose of any referendum held pursuant to this article shall be given by posting such notice in at least 2 conspicuous public places in the town or by publication in a newspaper of general circulation in the town, such posting or publication to be not less than 7 nor more than 14 days before the day of the referendum.

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