

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
FIRST SPECIAL SESSION

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ONE HUNDRED AND SIXTH LEGISLATURE

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Legislative Document

No. 2520

H. P. 1978

House of Representatives, February 20, 1974

Approved by the Reference of Bills Committee pursuant to Joint Order (S. P. 899). Referred to Committee on Education. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Garsoe of Cumberland.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FOUR

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

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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, 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 elementary and secondary school facilities of the District are inadequate and overcrowded and it is imperative that construction of an addition to Greely High School, renovation of the old Greely section of the Greely Junior High School, and other improvements and construction at said Greely High School and Greely Junior High School, both in the Town of Cumberland, proceed without further delay in order to protect the health, safety and welfare of the school children of said District; and

Whereas, funds for capital outlay purposes are required by said School Administrative District in order to construct such additional school facilities and make such renovations and improvements; and

Whereas, at District Meetings held on February 4, 1972, on October 4, 1972, and on April 24, 1973, the voters of School Administrative District No. 51

voted to authorize the School Directors of School Administrative District No. 51 to issue bonds or notes for capital outlay purposes for the construction, renovation and improvement of such school facilities; and

Whereas, doubt exists whether the procedures in serving, posting and returning the warrants issued in connection with said District Meeting held on February 4, 1972, complied in all respects with the applicable requirements of law, and doubt exists whether the procedures in connection with the District Meetings held on October 4, 1972, and on April 24, 1973, complied with the requirements of the Revised Statutes, Title 20, section 225, as amended, in that the absentee voting procedures were not used in the Towns of Cumberland and North Yarmouth, thus raising doubts as to the legality of the proceedings to authorize the issuance of bonds or notes and other legal action taken in connection therewith; 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 the territory within the Towns of Cumberland and North Yarmouth, is authorized to issue and sell its bonds or notes for capital outlay purposes, not exceeding the principal amount of \$394,400, 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. The proceedings taken in the District Meeting held in each member town on February 4, 1972, on October 4, 1972, and on April 24, 1973, wherein it was voted to authorize the School Directors of School Administrative District No. 51 to issue bonds and notes in the name of said District for capital outlay purposes in an aggregate amount not to exceed \$394,400, and all action heretofore taken pursuant thereto by the School Directors, officers and agents of said District 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.

#### STATEMENT OF FACT

The purpose of this bill is reflected in the emergency preamble.