

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 744

H. P. 601

House of Representatives, February 21, 1975

On motion of Mrs. Clark of Freeport, ordered sent forthwith and referred to the Committee on Education. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Kennedy of Gray.

Cosponsor: Mrs. Clark of Freeport.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

**AN ACT Authorizing Additional Indebtedness for School Administrative
District No. 15.**

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 Gray and New Gloucester have been assumed by School Administrative District No. 15, which embraces the territory in said municipalities; and

Whereas, the secondary school facilities of the district are inadequate and overcrowded and it is imperative that construction of a new high school, which is to be built as an addition to the existing Gray-New Gloucester High School in the Town of Gray, 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

Whereas, at a district meeting held on July 24, 1974, the voters of School Administrative District No. 15 voted to authorize the School Directors of School Administrative District No. 15 to issue bonds or notes for capital outlay purposes for the construction of such school facilities; and

Whereas, the borrowing capacity of School Administrative District No. 15 is insufficient to meet the costs of such construction unless increased by the State Board of Education according to law; and

Whereas, the State Board of Education is empowered by the Revised Statutes, Title 20, section 304, to increase the statutory debt limitation of a School Administrative District at the time of the initial approval of a school construction project by an amount not to exceed $7\frac{1}{2}\%$ of the last preceding state valuation of the participating municipalities; and

Whereas, the State Board of Education inadvertently neglected to so increase the statutory debt limitation of School Administrative District No. 15 at the time of the initial approval of said new school construction project; and

Whereas, the State Board of Education did subsequently increase the statutory debt limitation of School Administrative District No. 15 by resolution adopted at its regular meeting of January 9, 1975; and

Whereas, doubt exists whether the subsequent action of the State Board of Education in raising said statutory debt limitation was sufficient under law, thus raising doubts as to the borrowing capacity of School Administrative District No. 15; 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. The School Directors of School Administrative District No. 15 are hereby authorized to borrow in the name and on behalf of said district a sum not to exceed \$2,800,000 pursuant to the authorization by the voters of said district on July 24, 1974, notwithstanding any limit of indebtedness contained in any other law.

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.