

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)

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1942

H. P. 1727

House of Representatives, June 18, 1975

Approved for introduction by a Majority of the Committee on Reference of Bills pursuant to Joint Rule 10. Read twice under suspension of rules and passed to be engrossed without referral to committee.

EDWIN H. PERT, Clerk

Presented by Mr. Rolde of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Relating to the Town of York School District and to Validate Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 1.

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

Whereas, by the private and special laws of 1973, chapter 152, the Act creating the Town of York School District was amended to increase the limit on total indebtedness of said Town of York School District from \$1,000,000 to \$4,500,000, subject to acceptance by the legal voters of the Town of York at a special town election to be held on June 11, 1974; and

Whereas, the private and special laws of 1973, chapter 152, required that the warrants for such election notify the voters to vote on approval or rejection of said chapter and that on the ballots the subject matter of said chapter 152 be reduced to the following question: "Shall an Act Increasing Indebtedness of Town of York School District, passed by the 106th Legislature, be accepted?"; and

Whereas, in accordance with the warrants issued for a special town meeting of the Town of York held on June 11, 1974 the legal voters of the Town of York voted by ballot on the question: To see if the town will vote to increase the indebtedness of the York School District from \$1,000,000 to \$4,500,000; and

Whereas, on said referendum question 917 "yes" votes were cast and 600 "no" votes were cast; and

Whereas, the Town of York School District proposes to construct a new senior high school, and must apply in July, 1975 to the Maine Municipal Bond Bank for the purchase by said bond bank of in excess of \$3,500,000 principal amount of bonds of said Town of York School District for the construction of said new senior high school; and

Whereas, in view of the fact that the question submitted to the voters of the Town of York at said special town meeting on June 11, 1974 was not in the form prescribed by said chapter 152, it may be impossible to secure the necessary legal approval for the issue of bonds for the new senior high school; and

Whereas, the construction of said new senior high school is essential to the health and well-being of the inhabitants of the Town of York; and

Whereas, there is a need for a new elementary school in the School Administrative District No. 1 and the construction of such facility is essential to protect the health, safety and welfare of the school children of said district; and

Whereas, at a district meeting held on November 5, 1974, the voters of School Administrative District No. 1 voted to authorize the school directors of School Administrative District No. 1 to issue bonds or notes for capital outlay purposes to construct a new elementary school in the Town of Mapleton; and

Whereas, doubt exists whether the procedures in connection with the district meeting held on November 5, 1974 complied with the requirements of the Revised Statutes, Title 20, section 225, as amended, in that a specimen ballot was not published in a newspaper of general circulation in the City of Presque Isle prior to the meeting therein, 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:

Sec. 1. Referendum vote validated. The majority vote of the voters of the Town of York at the special town meeting on June 11, 1974 approving an increase in indebtedness for the Town of York School District to \$4,500,000 be and hereby is declared an acceptance of the provisions of the private and special laws of 1973, chapter 152, and the first sentence of section 4 of chapter 57 of the private and special laws of 1951, as heretofore amended, is hereby declared to have been amended as set forth in said chapter 152 of the private and special laws of 1973.

Sec. 2. Authorization. School Administrative District No. 1, composed of the residents of and the territory within the City of Presque Isle and the Towns of Castle Hill, Chapman, Mapleton and Westfield, is authorized to issue and sell its bonds or notes for capital outlay purposes, not exceeding the principal amount of \$1,750,000, 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 municipalities. The proceedings taken at the district meeting held in each member municipality on November 5, 1974, wherein it was voted to authorize the school directors of School Administrative District No. 1 to issue bonds and notes in the name of said district for capital outlay purposes in an aggregate amount not to exceed \$1,750,000, 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 Act is reflected in the emergency preamble.