

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
FIRST SPECIAL SESSION (Filing No. H-887)
107TH LEGISLATURE

COMMITTEE AMENDMENT "A" to H.P. 1832, L.D. 1997, Bill,
"AN ACT to Clarify Provisions Relating to the Town of York
School District."

Amend said Bill by inserting before the enacting clause
the following:

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

Whereas, it is desirable that the York School District
dispose of any of its real property not needed for new school
construction as soon as possible; and

Whereas, it is desirable to present this legislation to
the voters of the Town of York for approval at its annual town
meeting in March, 1976; 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, '

Further amend said Bill by striking out everything after
the enacting clause and inserting in place thereof the following:

'Sec. 1. P&SL 1951, c. 57, §1, is amended to read:

Sec. 1. Town of York School District, incorporated. Subject
to the provisions of this Act, the inhabitants of and the territory
within the Town of York shall constitute a body politic and

corporate under the name of "Town of York School District" for the purpose of acquiring and disposing of property within the said town for school and related athletic and recreational purposes; for the purpose of erecting, enlarging, repairing, equipping and maintaining on said property a school building or school buildings and related athletic and recreational facilities; for the purpose of leasing or letting any property of said district to said town; for the purpose of receiving, accepting and holding gifts, grants or devises of property, real, personal or mixed, to be used for school and related athletic and recreational purposes; and all for the benefit of the inhabitants of said district.

No real property to the value of \$1,000 or more shall be disposed of by the trustees of the district until authorized by the legal voters of the Town of York, except that the trustees of the district may vote to return unused school property to the town provided the school district has assumed no indebtedness or lease obligation on account of said property. The trustees of the district are authorized to transfer or lease unused school property to nonprofit organizations for educational, cultural or recreational purposes. The trustees of the district are authorized to lease any unused school buildings for educational, cultural or recreational purposes.

Sec. 2. Emergency clause; referendum; effective date. In view of the emergency cited in the preamble, this Act shall take effect when approved only for the purpose of permitting its submission to the legal voters of the Town of York at any regular

or special meeting called and held for the purpose not later than 6 months after the approval of this Act. In the event a special election is called for the purpose, it shall be called, advertised and conducted according to the law relating to municipal elections; provided, however, that the selectmen in said Town of York shall not be required to prepare for posting nor the town clerk to post a new list of voters and for the purpose of registration of voters, said selectmen shall be in session the 3 secular days next preceding such special election. The town clerk shall prepare the required ballots on which he shall reduce the subject matter of this Act to the following question: "Shall 'An Act to Clarify Provisions Relating to the Town of York School District' as passed by the First Special Session of the 107th Legislature be accepted?' and the voters shall indicate by a cross or a check mark placed over the words "Yes" or "No" their opinion of the same. This Act shall take effect for all the purposes hereof immediately upon its acceptance by a majority vote of the legal voters voting at said election. The result of said vote shall be declared by the municipal officers of the Town of York and due certificate filed by the town clerk with the Secretary of State.'

Statement of Fact

The purpose of this amendment is to add an emergency preamble, emergency clause, referendum and effective date to the bill.

Reported by the Committee on Education.

Reproduced and distributed under the direction of the Clerk of the House.
2/10/76

(Filing No. H-887)