

MAINE STATE LEGISLATURE

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(EMERGENCY)
SECOND REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1989

S. P. 790

In Senate, March 11, 1980

Approved by a Majority of the Legislative Council pursuant to Joint Rule 27, referred to the Committee on Education. Sent down for concurrence and ordered printed.

MAY M. ROSS, Secretary of the Senate

Presented by Senator Pierce of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

AN ACT to Clarify the Status of a Certain School Renovation Project in the City of Waterville under the Education Laws and to Validate Proceedings Authorizing the Issuance of Bonds or Notes by that City.

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

Whereas, the City of Waterville has voted to authorize the borrowing of \$1,125,000 in connection with a project for repairing, reconstructing and improving the junior high school building located on the easterly side of the West River Road in that city; and

Whereas, the junior high school cannot be occupied until the project is carried out; and

Whereas, there is an urgent need that the project be undertaken immediately because junior high school pupils in the City of Waterville are presently housed in inadequate facilities; and

Whereas, the Department of Educational and Cultural Services has determined that the project should be considered to be maintenance of plant and minor remodeling for purposes of state reimbursement; and

Whereas, doubt exists whether the project falls within the definition of a

“school construction project” pursuant to the Revised Statutes, Title 20, section 3471, thus raising doubts as to the validity of the proceedings to authorize the issuance of bonds or notes therefor; 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 project for repairing, reconstructing and improving the junior high school in the City of Waterville for which the city council of that city authorized the borrowing of the sum of \$1,125,000 by Order No. 1 adopted and approved by the mayor on January 16, 1980, is determined not to be a school construction project subject to the Revised Statutes, Title 20, section 3471, and payments by the City of Waterville on account of the project, including principal and interest on bonds or notes issued therefor, shall be considered minor capital costs for purposes of the Revised Statutes, Title 20, chapter 515. The adoption by the city council of the City of Waterville of said Order No. 1 is confirmed, validated and made effective and the officials of that city are authorized to issue the bonds or notes authorized by the order as described therein.

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.