

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)

L.D. 1093

STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-399)
110TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 922, L.D. 1093, Bill,
"AN ACT to Require a Bond in Certain Suits Seeking to Enjoin
School Construction Projects."

Amend the Bill by striking out all of that part
designated "§3471-A." and inserting in its place the following:
'§3471-A. Suits challenging school bond issues; security
required

In any action challenging the validity of the issuance
of bonds for a school construction project authorized and
approved under this chapter, or seeking to enjoin the commence-
ment, construction or completion of any such school construction
project, if the court has granted a motion to dismiss or
granted summary judgment against the plaintiff, the court may
require the plaintiff to provide security during the period
of any appeal from such judgment to cover any costs or damages
as may be incurred or suffered by any party resulting from
delay of the project, including any loss of purchasing power
during the period of delay. In determining the amount of
security to be required, the court shall consider a recognized
index of building costs, the consumer price index and other
relevant evidence concerning the cost of the project and
the estimated period of delay during the appeal.'

Statement of Fact

This amendment requires that persons seeking to tie up school construction projects post a bond prior to appeal if the suit has been dismissed at a preliminary motion.

Reported by the Committee on Education.
Reproduced and distributed under the direction of the Clerk
of the House.

5/14/81

(Filing No. H-399)