

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1093

H. P. 922

House of Representatives, March 3, 1981

Referred to the Committee on Education. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Murphy of Kennebunk.

Cosponsors: Senator Wood of York and Representative Connors of Franklin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Require a Bond in Certain Suits Seeking to Enjoin School Construction Projects.

Be it enacted by the People of the State of Maine, as follows:

20 MRSA § 3471-A is enacted to read:

§ 3471-A. Suits for injunctive relief; bond

In any action seeking to enjoin the commencement, construction or completion of any school construction project authorized and approved under this chapter, if the court has granted a preliminary motion which dismisses the action or has entered summary judgment against the plaintiff, the plaintiff may not appeal unless he first posts a bond as a condition of maintaining the appeal. The bond shall be designed to secure payment of such costs and damages that may be incurred by the delay of the project.

STATEMENT OF FACT

This bill 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.