## MAINE STATE LEGISLATURE

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## (EMERGENCY) FIRST REGULAR SESSION

## ONE HUNDRED AND THIRTEENTH LEGISLATURE

No. 394 Legislative Document In Senate, February 19, 1987 S.P. 140 Reference to the Committee on Education suggested and ordered printed. JOY J. O'BRIEN, Secretary of the Senate Presented by Senator PERKINS of Hancock. Cosponsored by Representative PARADIS of Old Town, Representative SALSBURY of Bar Harbor, Senator RANDALL of Washington. STATE OF MAINE IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-SEVEN AN ACT to Validate and Approve Certain Proceedings Relating to the Otis-Mariaville Union School. Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and Whereas, there is an urgent need for the struction of a new school to serve the educational needs of the Towns of Otis and Mariaville; and Whereas, the Commissioner of Educational and Cultural Services has prepared and the towns have approved a union school agreement between the Towns of Otis and Mariaville which contemplate the construc-

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13 14 tion of a new union school in Otis to be owned jointly by the 2 towns; and

Whereas, the laws governing union schools confer general authority on towns to incur indebtedness for the construction of union schools, but do not prescribe the procedures to be followed in incurring the indebtedness; and

Whereas, the Towns of Otis and Mariaville may not be able to borrow funds for the construction of the proposed union school unless the proceedings of the 2 towns relating to the proposed union school are validated and approved by the Legislature; 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. Validation and approval of union school agreement. The union school agreement between the Town of Otis and the Town of Mariaville as approved by the Commissioner of Educational and Cultural Services and approved by vote of the Towns of Otis and Mariaville at special town meetings on January 17, 1987, is hereby validated and approved.

Sec. 2. Issuance of bonds; Town of Otis. The referendum vote of the Town of Otis conducted on January 17, 1987, authorizing the issuance of bonds or notes of the town for school construction purposes in an amount not to exceed \$650,000 for the purpose of acquiring land and constructing and equipping a union school in Otis is validated and approved and the municipal officers of the Town of Otis are authorized to issue bonds or notes of the Town of Otis pursuant to the Maine Revised Statutes, Title 20-A, section 15909 and Title 30, section 5152, in an amount not to exceed \$650,000 for school construction purposes for the purpose of acquiring land and constructing and

	1	equipping a union school for the Towns of Otis and
1	2	Mariaville for kindergarten and grades one to 8 to be
- ]:	3	located in the Town of Otis. Any such bonds or notes
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	<b>4</b> 5	of the Town of Otis, when issued in accordance with
		the provisions, shall be the only authorized, legal
	6 .	and binding obligations of the Town of Otis.
)	7	Sec. 3. Issuance of bonds; Town of Mariaville.
	8	The referendum vote of the Town of Mariaville con-
	9	ducted on January 19, 1987, authorizing the issuance
	10	of bonds or notes of the town for school construction
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		purposes in an amount not to exceed \$350,000 for the
	12	purpose of acquiring land and constructing and equip-
	13	ping a union school in Otis is validated and approved
	14	and the municipal officers of the Town of Mariaville
	15 .	are authorized to issue bonds or notes of the Town of
	16	Mariaville pursuant to the Maine Revised Statutes,
	17	· · · · · · · · · · · · · · · · · · ·
		Title 20-A, section 15909 and Title 30, section 5152,
	18	in an amount not to exceed \$350,000 for the purpose
	19	of acquiring land and constructing and equipping a
	20	union school for the Towns of Otis and Mariaville for
	21	kindergarten and grades one to 8 to be located in the
	22	Town of Otis. Any such bonds or notes of the Town of
	23	Mariaville when issued in accordance with the provi-
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		sions shall be the duly authorized, legal and binding
	25	obligations of the Town of Mariaville.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

## STATEMENT OF FACT

30 The Towns of Otis and Mariaville have 31 approval from the State Board of Education for construction of a joint elementary school pursuant to a 32 33 union school agreement. Of the bonds, 65% are to be 34 issued by the Town of Otis and 35% are to be issued by the Town of Mariaville. At present, the laws authorizing the issuance of debt for union schools are 35 36 37 so vague that the towns will need validating legisla-38 tion in order to issue bonds for this project.

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