

### (Emergency) (New Draft of S.P. 104, L.D. 277) FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

### Legislative Document

S.P. 306

In Senate, March 23, 1987

Reported by Senator Gould for the Committee on State and Local Government and printed under Joint Rule 2. Original Bill sponsored by Senator Perkins of Hancock. Cosponsored by: Representative Zirnkilton of Mt. Desert, Representative Joseph of Waterville, Salisbury of Bar Harbor.

JOY J. O'BRIEN, Secretary of the Senate

#### STATE OF MAINE

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

# AN ACT to Validate Certain Proceedings of the Town of Trenton.

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

7 Whereas, there is an urgent need to expand the 8 Trenton Elementary School in order to provide ade-9 quate educational programs to the pupils of the Town 10 of Trenton; and

11 Whereas, the Town of Trenton voted at referendum 12 on July 8, 1986, to authorize the selectmen to borrow 13 up to \$200,000 to construct an addition to the Tren-14 ton Elementary School; and

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No. 885

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5 6 1 Whereas, the Town of Trenton voted on November 4, at referendum to authorize the selectmen to 1986, borrow additional funds not to exceed 3 \$69,000 for 4 that project and to borrow and expend an amount not 5 to exceed \$16,000 for the purpose of purchasing, inand relocating a new fuel oil storage tank 6 stalling 7 at the Trenton Elementary School; and

8 Whereas, certain procedural errors were made in 9 preparing the warrants and ballots for the referenda, including the omission of the informational state-10 11 ments required by Title 20-A, section 15904, subsec-12 tion 4, and the omission of the recommendations of 13 the selectmen and school committee as required by Ti-14 tle 30, section 2061, subsection 4; and

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15 Whereas, these errors and omissions did not af-16 fect the substance of the proceedings and may prevent the Town of Trenton from issuing bonds or notes for 17 18 the project unless the Legislature validates and ap-19 proves proceedings of these referendum votes; and

in the judgment of the Legislature, 20 Whereas, 21 these facts create an emergency within the meaning of 22 the Constitution of Maine and require the following 23 legislation as immediately necessary for the preser-24 vation of the public peace, health and safety; now, 25 therefore,

26 ··· it enacted by the People of the State of Maine as Be 27 follows:

28 Town of Trenton; referendum validated. Notwith-29 standing the Maine Revised Statutes, Title 20-A, sec-30 tion 15904, subsection 4; Title 30, section 2061, subsection 4; and any other provisions of law, the referendum votes conducted by the Town of Trenton on 31 32 33 July 8, 1986, and November 4, 1986, for the purpose 34 authorizing the municipal officers of the Town of of 35 Trenton to borrow and expend up to \$269,000 for the constructing an addition to the Trenton 36 purpose of 37 Elementary School and to borrow and expend an amount to exceed \$16,000 for the purpose of purchasing, 38 not 39 installing and relocating a new fuel oil storage tank 40 at the Trenton Elementary School are hereby validated 41 and approved and the municipal officers of the Town 42 of Trenton are authorized to issue bonds or notes of

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1 the Town of Trenton pursuant to Title 30, section 2 5152, for a period not to exceed 10 years in an 3 amount not to exceed \$285,000 for the purpose of con-4 structing and equipping an addition to the Trenton Elementary School in Trenton and purchasing, install-ing and relocating a new fuel oil storage tank at the 5 6 7 Elementary School. Any such bonds or notes Trenton 8 of the Town of Trenton when issued in accordance with 9 such provisions shall be the duly authorized, legal 10 and binding obligations of the Town of Trenton.

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

### STATEMENT OF FACT

The original bill and this new draft have the same purpose. That purpose is described in the emergency preamble. The purpose of this new draft is to be more specific and detailed concerning the referendum being validated and the effect of this validation.

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