

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 1841

S.P. 703

In Senate, December 8, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

Received by the Secretary of the Senate on December 8, 1989. Referred to the Committee on Education and 1,600 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator ESTES of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act Relating to the Town of York School District.

(EMERGENCY)



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

4
Whereas, the present buildings that house the schools of the
6 Town of York are becoming overcrowded and, with each new school
year, will become increasingly overcrowded and inadequate; and

8
Whereas, the voters of the Town of York have approved the
10 renovation of an existing elementary school by the Town of York
School District; and

12
Whereas, a question has arisen concerning the authority of
14 the Town of York School District to issue bonds or notes for the
proposed renovation project; and

16
Whereas, there is an immediate need to proceed with the
18 proposed renovation projects; and

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

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

28 **Sec. 1. P&SL 1951, c. 57, §1, first ¶, 2nd and 3rd sentences, as**
enacted by P&SL 1987, c. 25, §1, are repealed and the following
30 enacted in their place:

32 With respect to school property and facilities located within the
34 Town of York, the Town of York School District is responsible for
minor capital costs as defined in the Maine Revised Statutes,
36 Title 20-A, section 15603, subsection 18, financed by the
issuance of bonds or notes, whether title to the school property
38 and facilities is vested in the inhabitants of the Town of York,
the Town of York School Committee or the Town of York School
40 District. Minor capital costs not funded by the issuance of
bonds or notes and other ongoing maintenance of school property
42 and school facilities within the Town of York are the
responsibility of the Town of York School Committee.

44 **Sec. 2. P&SL 1951, c. 57, §2, sub-§2, as enacted by P&SL 1987, c.**
46 **25, §2, is amended to read:**

48 2. If a referendum vote authorizing such a project is
required by the Maine Revised Statutes, Title 20-A, chapter 609,
or if the trustees propose to issue bonds or notes of the
50 district for minor capital costs, a referendum vote shall be
conducted by the Town of York by secret ballot in accordance with

2 the appropriate provisions set forth in Title 21-A and Title 30
30-A.

4 **Sec. 3. P&SL 1951, c. 57, §4, 3rd ¶, 4th sentence,** as enacted by PL
6 1987, c. 25, §3, is amended to read:

8 The district shall be a quasi-municipal corporation within the
10 meaning of the Maine Revised Statutes, Title 30 30-A, section
5053 5701, and all the provisions of that section shall be
applicable to the corporation.

12 **Sec. 4. P&SL 1951, c. 57, §8-A** is enacted to read:

14 **Sec. 8-A. Issuance of bonds and notes.** In addition to the
16 powers otherwise granted to the trustees to issue bonds and notes
for minor capital purposes, and notwithstanding any other
18 provision of law, the trustees of the Town of York School
District are authorized to issue bonds or notes in the name of
20 the Town of York School District, for minor capital purposes in
an amount not to exceed \$1,697,000, to renovate the existing
22 elementary school on the school lot on the north side of York
Street in the Town of York, without a referendum or other vote of
the Town of York School District.

24 **Sec. 5. Emergency clause; referendum; effective date.** In view of
26 the emergency cited in the preamble, this Act shall take effect
when approved, only for the purpose of its submission to the
28 legal voters of the Town of York at any regular or special
meeting called and held for the purpose not later than 18 months
30 after the approval of this Act. In the event a special election
is called for the purpose, it shall be called, advertised and
32 conducted according to the law relating to municipal elections.
The town clerk shall prepare the required ballots on which the
34 town clerk shall state the subject matter of this Act in the
following question:

36 "Shall the Act relating to the Town of York School District
38 be accepted?"

40 The voters shall indicate by a cross or a check mark placed
42 against the words "Yes" or "No" their opinion of the same. This
Act shall take effect for all the purposes hereof immediately
44 upon its acceptance by a majority vote of the legal voters voting
at the election; provided that the total number of votes cast for
46 and against the acceptance of this Act at the election equals or
exceeds 20% of the total votes for all candidates for Governor in
48 the town at the next previous gubernatorial election. The result
in the district shall be declared by the municipal officers of
50 the Town of York and due certificate filed by the town clerk with
the Secretary of State.

52

