

MAINE STATE LEGISLATURE

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N I N E T Y - F I F T H L E G I S L A T U R E

Legislative Document

No. 21

S. P. 35

In Senate, January 11, 1951.

Referred to Committee on Legal Affairs. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Reid of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-ONE

AN ACT Relating to the Town of Winthrop School District.

Emergency preamble. Whereas, the 94th legislature, by chapter 144 of the private and special laws of 1949, created a body politic and corporate under the name of "Town of Winthrop School District" within the town of Winthrop; and

Whereas, through inadvertence, a proper article submitting to the legal voters of said town was not inserted in the warrant calling for the acceptance or rejection of said act at the annual town meeting held on the 13th day of March, 1950, no other meeting of the legal voters having been called therefor; and

Whereas, the clerk of said town did in fact prepare the ballots required by said act, on which the subject matter of said act was reduced to the following printed question: "Shall the act to incorporate the town of Winthrop school district be accepted?" as provided in said act; and

Whereas, the legal voters of said town at said town meeting, voted to accept the act by a vote of 440 in the affirmative and 186 in the negative, the total number of which votes cast for and against the acceptance of said act exceeding 20% of the total vote for all candidates for governor in said town at the next previous gubernatorial election; and

Whereas, acting in accordance with the provisions of the authority granted them by said act, as they supposed, the municipal officers appointed 5 trustees of said district who entered upon their duties as prescribed therein, and amongst their duties, in behalf of said district, purchased certain real estate, conveyed certain real estate, purchased certain materials for the erection of a school building, entered into contracts for the construction of such building, received from said town certain moneys which had been raised for such building, together with certain real estate, received from the state a certain grant of land and granted in return to the state a small lot of land, and have performed many other duties required under said act, and also said contractor has entered in and upon his duties in connection with the building of said structure; and

Whereas, the foundation of the building has been laid; and

Whereas, further work upon the building cannot be done; and

Whereas, it is essentially necessary in carrying out the expressed will of the said voters, that there be a continuance of the work without delay; and

Whereas, in the judgment of the legislature, it is necessary that immediate provision be made for the financing of the school building; 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. Validating provision. The action of the legal voters of said town of Winthrop in accepting said act on March 13, 1950 hereby is ratified, confirmed and made valid to the same extent had an article been inserted in the warrant calling said town meeting.

Sec. 2. Validating provision. All acts of the state of Maine in purchasing and conveying real estate in connection with the school property, and all acts of the board of selectmen of Winthrop and all acts of the board of trustees acting in accordance with the provisions of said act, hereby are ratified, confirmed and made valid.

Sec. 3. Validating provision. All bonds, notes and obligations to be issued under the provisions of said act are declared to be legal obligations of said district when issued according to the provisions thereof.

Sec. 4. Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.