

MAINE STATE LEGISLATURE

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

Legislative Document

No. 877

H. P. 838

House of Representatives, February 18, 1953

Referred to the Committee on Legal Affairs, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Stanley of Hampden

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-THREE

AN ACT Relating to the Town of Hampden School District.

Emergency preamble. Whereas, by virtue of chapter 138 of the private and special laws of 1945 the Town of Hampden School District was created and duly accepted by the voters of the town and has constructed a school building to care for all the elementary school students of the town excepting a small number who attend school in a small separate building known as the Hannibal Hamlin School; and

Whereas, only 13 class rooms are completed in the new school building owned by the district and 4 other class rooms with toilets, kitchen and cafeteria, with other small rooms are provided for in the plans but not yet completed because the borrowing capacity of the district is not large enough to enable the district to complete these rooms; and

Whereas, studies made by the school board show clearly that there will be a large enough increase in the number of students in the elementary grades in Hampden when school opens in September, 1953 to make it impossible to care for them in the buildings in present use and to require the reopening of another very old building which has been closed by the town; and

Whereas, said old building is in very bad condition, impossible to properly heat and properly ventilate, poorly lighted, unsafe from a standpoint of health and sanitary conditions and cause of fire hazzard, and if elementary school children were forced to occupy this building during the next school year their health, welfare, peace and safety would be jeopardized; and

Whereas, said old building could not be repaired at any reasonable cost commensurate with the results obtainable; and

Whereas, any attempt to take care of the increased enrollment of students during the coming year in either of the buildings now in present use would result in an over-crowded condition which would make it impossible to properly instruct the students and to maintain proper health and sanitary conditions; and

Whereas, if immediate action is taken upon this measure it would be possible for the Town of Hampden School District to complete said unfinished rooms before the opening of school in September 1953 and thus avoid the danger to the health and safety of its students who would otherwise be forced to occupy said old 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. P. & S. L., 1945, c. 138, § 4, amended. The 1st sentence of section 4 of chapter 138 of the private and special laws of 1945 is hereby amended to read as follows:

‘To procure funds for the purpose of this act, and for such other expenses as may be necessary to carry out said purposes, the said district is hereby authorized from time to time to borrow money and to issue its bonds and notes therefor, but shall not incur a total indebtedness exceeding the sum of ~~\$300,000~~ \$350,000 at any one time outstanding.’

Emergency clause; effective date; referendum. In view of the emergency recited in the preamble hereof, this act shall take effect when approved, only for the purpose of permitting its submission to the legal voters of the town of Hampden at any regular or special meeting called and held for the purpose not later than 4 months after the approval of this act. Such special meeting shall be called, advertised and conducted according to law re-

lating to municipal elections ; provided, however, that the board of registration of the town of Hampden shall not be required to prepare for posting nor the town clerk to post a new list of voters, and for the purpose of registration of voters, said board shall be in session 1 hour preceding such meeting. The town clerk shall prepare the required ballots on which he shall reduce the subject matter of this act to the following question : "Shall 'An Act Relating to the Town of Hampden School District,' passed by the 96th legislature, be accepted?" and the voters shall indicate by a cross or check mark placed over the words "Yes" or "No" their opinion of the same. This act shall take effect for all the purposes thereof immediately upon its acceptance by a majority of the legal voters voting at said meeting ; provided that the total number of votes cast for and against the acceptance of this act at said meeting equals or exceeds 20% of the total vote for all candidates for governor in said town at the next previous gubernatorial election, but in the event said total number of votes cast does not equal or exceed said 20% of the total vote for all candidates for governor cast in said town at the next previous gubernatorial election another special meeting shall be called and the question again resubmitted to the voters in the same manner as above set forth.

The result of the vote in said district shall be declared by the municipal officers of the town of Hampden and due certificate thereof shall be filed by the town clerk with the secretary of state.