

# MAINE STATE LEGISLATURE

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## NINETY - EIGHTH      LEGISLATURE

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### Legislative Document

No. 84

S. P. 54

In Senate, January 17, 1957.

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

CHESTER T. WINSLOW, Secretary.

Presented by Senator Sinclair of Somerset.

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### STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-SEVEN

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#### AN ACT to Increase the Borrowing Capacity of the Town of Hartland School District.

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**Emergency preamble.** Whereas, the present buildings which house the schools of the town of Hartland are overcrowded, inadequate and unsafe; and

Whereas, it is imperative that action be taken at the earliest possible moment to relieve these conditions; and

Whereas, the overcrowded and antiquated conditions of the schools are detrimental to the public health and safety; and

Whereas, new building construction is vitally necessary; and

Whereas, the present borrowing capacity of said town will not allow it to borrow sufficient funds for the necessary construction and equipment; 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., 1949, c. 163, § 1, amended.** Section 1 of chapter 163 of the private and special laws of 1949 is hereby amended to read as follows:

**'Sec. 1. Town of Hartland School District, incorporated.** Subject to the provisions of this act, the inhabitants and territory within the town of Hartland shall constitute a body politic and corporate under the name of the "Town of

Hartland School District" for the purpose of acquiring land within the said town for school purposes; and erecting, equipping and maintaining on said land a school building **or buildings** and related athletic and recreational facilities, with the right to lease or let said property to said town; all for the benefit of the inhabitants of said district.'

**Sec. 2. P. & S. L., 1949, c. 163, § 2, amended.** The last paragraph of section 2 of chapter 163 of the private and special laws of 1949 is hereby amended to read as follows:

'The treasurer's salary, bond premium, and all expenses of the district shall be paid from the funds of the district. At the close of the fiscal year the trustees shall make a detailed report of their doings, of the financial condition of such district, and the physical condition of said building **or buildings**, and also such other matters and things pertaining to said district as shall show the inhabitants thereof how said trustees are fulfilling the duties and obligations of their trust, said reports to be made, attested to and filed with the municipal officers of said town.'

**Sec. 3. P. & S. L., 1949, c. 163, § 3, amended.** The 1st sentence of section 3 of chapter 163 of the private and special laws of 1949 is hereby amended to read as follows:

'To procure funds for the purposes of this act and such other expense as may be necessary for the carrying out of said purposes, the said trustees are hereby authorized to issue the district's bonds and notes, but shall not incur a total indebtedness exceeding the sum of ~~\$65,000~~ **\$130,000.**'

**Sec. 4. P. & S. L., 1949, c. 163, § 6, amended.** Section 6 of chapter 163 of the private and special laws of 1949 is hereby amended to read as follows:

**'Sec. 6. Authorization.** The "Town of Hartland School District" is hereby authorized to receive from the town of Hartland, and said town of Hartland is hereby authorized to convey to said district the school land situated in the town of Hartland and to turn over to said school district such sums of money as it may raise either by taxation or by bond issue for the purpose of constructing a centralized school building **or school buildings**. Before conveyance of said land or turning over of said funds, the municipal officers shall be duly authorized to do so by a majority of the legal voters of said town, voting at a special meeting called for that purpose or at any regular town meeting. Said school district is hereby authorized to accept gifts, grants or devises for the purpose of constructing said centralized school building **or school buildings.**'

**Sec. 5. P. & S. L., 1949, c. 163, § 7, amended.** The first sentence of section 7 of chapter 163 of the private and special laws of 1949 is hereby amended to read as follows:

'At such time as said school building **or buildings** shall have been completed, equipped, and occupied by pupils of said district and the board of trustees of the district shall have discharged all its principal obligations and the property of said district shall be free and clear of all indebtedness, the board of trustees shall automatically cease to function and all the duties, management, care and maintenance shall revert to the school board of the town of Hartland or such

other board as may, at that time, have jurisdiction over similar school property, and ~~then the the then~~ president and treasurer shall cause to be executed, signed and delivered, a good and sufficient deed of all the property ~~in~~ of said district, to the town of Hartland.'

**Emergency clause; effective date; referendum.** In view of the emergency cited in the preamble, this act shall take effect when approved, only for the purpose of permitting its submission to the legal voters of the town of Hartland at the next regular town meeting in 1957 or at any special meeting called and held for the purpose not later than 4 months after approval of this act. Such special meeting shall be called, advertised and conducted according to law relating to municipal elections; provided, however, that the selectmen of the town of Hartland 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 selectmen shall be in session one hour preceding such meeting. The town clerk shall reduce the subject matter of this act to the following question: "Shall the act to Increase the Borrowing Capacity of the Town of Hartland School District, passed by the 98th Legislature, be accepted?" and the voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same. This act shall take effect for all the purposes hereof 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.

The result of the vote shall be declared by the municipal officers of the town of Hartland and due certificate thereof shall be filed by the clerk of said town with the Secretary of State.