

# MAINE STATE LEGISLATURE

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

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### Legislative Document

No. 183

H. P. 165

House of Representatives, January 28, 1959.

Referred to the Committee on Legal Affairs, sent up for concurrence and 750 copies ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Graves of Mount Desert.

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### STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-NINE

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#### **AN ACT Increasing Indebtedness of the Town of Bar Harbor School District.**

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**Emergency preamble.** Whereas, the present buildings which house the schools of the Town of Bar Harbor 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 borrowing capacity of said town will not allow it to borrow sufficient funds for 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., 1951, c. 39, § 1, amended.** Section 1 of chapter 39 of the private and special laws of 1951 is amended to read as follows:

**'Sec. 1. Incorporation; name; purposes.** Subject to the provisions of this act, the inhabitants of and the territory within the Town of Bar Harbor are hereby created a body politic and corporate under the name "Town of Bar Harbor School District," for the purpose of acquiring ~~property~~ **properties** within the

said town for school and related athletic and recreational purposes; for the purpose of erecting, enlarging, repairing, equipping and maintaining on said ~~property properties~~ a school building or school buildings and **additions to school buildings and** related athletic and recreational facilities; for the purpose of maintaining elementary and secondary schools; for the purpose of leasing or letting any property of said district to said town; for the purpose of receiving, accepting and holding gifts, grants or devises of property real, personal or mixed to be used for school and related athletic and recreational purposes; all for the benefit of the inhabitants of said district.'

**Sec. 2. P. & S. L., 1951, c. 39, § 4, amended.** The first paragraph of section 4 of chapter 39 of the private and special laws of 1951 is amended to read as follows:

'To procure funds for the purpose of this act and such other expense as may be necessary for the carrying out of said purposes, the said district, by its trustees, 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 ~~\$400,000~~ **\$1,150,000.**'

**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 Bar Harbor at any regular or special town meeting called and held for the purpose not later than 8 months after the approval of this act. Such special election shall be called, advertised and conducted according to law relating to municipal elections; provided, however, that the board of registration in said Town of Bar Harbor 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 the 3 secular days next preceding such special meeting, the first and 2nd days thereof to be devoted to the registration of voters and the 3rd day to enable the board to verify the corrections of said list and to complete and close up their records of said sessions.

The town clerk shall prepare the required ballots on which he shall reduce the subject matter of this act to the following question: "Shall the act Increasing Indebtedness of the Town of Bar Harbor School District be accepted?" The voters shall indicate by a cross or check mark placed over the words "Yes" and "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 Bar Harbor, and due certificate filed by the town clerk with the Secretary of State.