

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

## One Hundred and Fourth Legislature

OF THE

# STATE OF MAINE

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1969

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the One Hundred and Fourth Legislature

1969

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for the referendum vote upon both of said May 7, 1968 votes of the town council; and

Whereas, said public hearing was held on May 23, 1968 and thereafter said votes were approved by duly noticed referendum vote on May 27, 1968, approval of said town council vote upon the lease agreement with the Maine School Building Authority being Yes — 1093 and No — 706, and approval of said town council vote to issue general obligation securities of the town being Yes — 1096 and No — 688; and

Whereas, doubt exists whether notice of the public hearing upon said referendum questions on May 23, 1968 complied fully with the applicable requirements of law and the town charter of said town, thus raising doubts as to the legality of certain of the proceedings to authorize the said lease agreement and the issuance of said bonds and other action taken in connection therewith; 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:*

**Authorization and validation.** The Town of Cape Elizabeth without the necessity of further proceedings in or by said town is authorized to enter into a lease agreement with the Maine School Building Authority with respect to a new high school to be constructed in said town at an estimated cost to said authority of \$2,800,000 plus an additional amount, if necessary, not to exceed \$280,000, and to incur indebtedness under and pursuant to the applicable provisions of the Maine Revised Statutes, Title 30, section 5152, by the issuance of its general obligation securities not to exceed \$1,000,000 in principal amount for the purpose of contributing to the cost of constructing said new high school. The proceedings to authorize said lease agreement and the incurring of said indebtedness taken in a meeting of the town council of the Town of Cape Elizabeth, held May 7, 1968, and approved by vote at the referendum held in said town on May 27, 1968, and all action taken by said town, its officers, agents and employees pursuant to said proceedings, are hereby validated and made effective.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective January 14, 1969

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## Chapter 2

**AN ACT Increasing Indebtedness of Baileyville School District.**

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

Whereas, the legal voters of the Town of Baileyville have not had the opportunity to express their opinion in relation to financing a district school building; and

Whereas, the foundation of this building is already complete, the construction contract awarded and work scheduled to begin in March of 1969; and

Whereas, the legislative authority given under the private and special laws of 1967, chapter 131, was inadvertently disregarded requiring resubmission of this Act; 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:*

**P. & S. L., 1955, c. 98, § 5, amended.** The first sentence of section 5 of chapter 98 of the private and special laws of 1955, as amended by chapter 60 of the private and special laws of 1963, is further amended to read as follows:

To procure funds for the purposes of this Act, and for such other expenses (including the refunding of any bonds issued hereunder) as may be necessary to carry out 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 ~~\$200,000~~ \$1,250,000 at any one time outstanding.

**Emergency clause; referendum; effective date.** 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 Baileyville, present and voting at the next annual town meeting or next special town 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 Increasing Indebtedness of Baileyville School District,' passed by the 104th Legislature, be accepted?" 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 vote 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 equaled or exceeded 20% of the total vote for all candidates for Governor in said town at the next preceding gubernatorial election.

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