

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST SPECIAL SESSION

August 21, 1989 to August 22, 1989

and

SECOND REGULAR SESSION

January 3, 1990 to April 14, 1990

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
July 14, 1990

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1990

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

SECOND REGULAR SESSION

of the

ONE HUNDRED AND FOURTEENTH LEGISLATURE

January 3, 1990 to April 14, 1990

ments and may seek an award of reasonable attorney's fees in actions brought under this section.

See title page for effective date.

CHAPTER 104

S.P. 703 - L.D. 1841

An Act Relating to the Town of York School District

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

Whereas, the present buildings that house the schools of the Town of York are becoming overcrowded and, with each new school year, will become increasingly overcrowded and inadequate; and

Whereas, the voters of the Town of York have approved the renovation of an existing elementary school by the Town of York School District; and

Whereas, a question has arisen concerning the authority of the Town of York School District to issue bonds or notes for the proposed renovation project; and

Whereas, there is an immediate need to proceed with the proposed renovation projects; 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 P&SL 1951, c. 57, §1, first ¶, 2nd and 3rd sentences, as enacted by P&SL 1987, c. 25, §1, are repealed and the following enacted in their place:

With respect to school property and school facilities located within the Town of York, the Town of York School District is responsible for minor capital costs as defined in the Maine Revised Statutes, Title 20-A, section 15603, subsection 18, financed by the issuance of bonds or notes, whether title to the school property and school facilities is vested in the inhabitants of the Town of York, the Town of York School Committee or the Town of York School District. Minor capital costs not funded by the issuance of bonds or notes and other ongoing maintenance of school property and school facilities within the Town of York are the responsibility of the Town of York School Committee.

Sec. 2. P&SL 1951, c. 57, §2, sub-§2, as enacted by P&SL 1987, c. 25, §2, is amended to read:

2. If a referendum vote authorizing such a project is required by the Maine Revised Statutes, Title 20-A, chapter 609, or if the trustees propose to issue bonds or notes of the district for minor capital costs, a referendum vote shall be conducted by the Town of York by secret ballot in accordance with the appropriate provisions set forth in Title 21-A and Title ~~30~~ 30-A.

Sec. 3. P&SL 1951, c. 57, §4, 3rd ¶, 4th sentence, as enacted by PL 1987, c. 25, §3, is amended to read:

The district shall be a quasi-municipal corporation within the meaning of the Maine Revised Statutes, Title ~~30~~ 30-A, section ~~5053~~ 5701, and all the provisions of that section shall be applicable to the corporation.

Sec. 4. P&SL 1951, c. 57, §8-A is enacted to read:

Sec. 8-A. Issuance of bonds and notes. In addition to the powers otherwise granted to the trustees to issue bonds and notes for minor capital purposes, and notwithstanding any other provision of law, the trustees of the Town of York School District are authorized to issue bonds or notes in the name of the Town of York School District, for minor capital purposes in an amount not to exceed \$1,697,000, to renovate the existing elementary school on the school lot on the north side of York Street in the Town of York, without a referendum or other vote of the Town of York School District.

Sec. 5. 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 its submission to the legal voters of the Town of York at any regular or special meeting called and held for the purpose not later than 18 months after the approval of this Act. In the event a special election is called for the purpose, it shall be called, advertised and conducted according to the law relating to municipal elections. The town clerk shall prepare the required ballots on which the town clerk shall state the subject matter of this Act in the following question:

"Shall the Act relating to the Town of York School District be accepted?"

The voters shall indicate by a cross or a 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 the election; provided that the total number of votes cast for and against the acceptance of this Act at the election equals or exceeds 20% of the total votes for all candidates for Governor in the town at the next previous gubernatorial election. The result in the district shall be declared by the municipal officers of the Town of York and due certificate filed by the town clerk with the Secretary of State.

Effective pending referendum.