

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Raise the Debt Limit of the City of Brewer High School District**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. P&SL 1925, c. 4, §1,** is amended to read:

**Sec. 1. City of Brewer High School District incorporated; purposes.** Subject to the provisions of section eight hereof~~8~~, the city~~City~~ of Brewer shall ~~constitute~~constitutes a body politic and corporate under the name of the City of Brewer High School District for the purpose of erecting, equipping, repairing, renovating and maintaining a high school within ~~said~~that district ~~upon land already secured for the purpose and located at the corner of Center and Somerset Streets, as is hereinafter provided, for the benefit of the inhabitants thereof.~~

**Sec. 2. P&SL 1925, c. 4, §1-A, first sentence,** as repealed and replaced by P&SL 1949, c. 164, §1, is amended to read:

The city~~City~~ of Brewer High School District is hereby authorized, if in the judgment of its board of trustees it is deemed necessary, to purchase land and to erect, equip, repair, renovate and maintain one or more grammar schools, a junior high school, a high school and a vocational school or any or all of such schools within ~~said~~that district for the benefit of the inhabitants of ~~said~~that district.

**Sec. 3. P&SL 1925, c. 4, §2** is amended to read:

**Sec. 2. City authorized to convey to district certain real estate, interests in real estate and other property.** The city~~City~~ of Brewer is hereby expressly authorized to convey to ~~said~~the district the land situated at the corner of Center and Somerset streets now owned by it, upon which a foundation for a new high school building is already under construction, together with the plans, for a new building, ~~already contracted for an approved by the city council~~any real, personal or mixed property owned or held by the City of Brewer.

**Sec. 4. P&SL 1925, c. 4, §5, first sentence,** as amended by P&SL 2001, c. 27, §1, is further amended to read:

To procure funds for the purposes of this Act and such other expenses as may be necessary to the carrying out of ~~said~~those purposes, the ~~said~~ district, by its trustees, is hereby authorized to issue notes and bonds; but ~~shall~~may not incur a total indebtedness exceeding ~~the sum of \$5,000,000~~7.5% of the most recent state valuation of the City of Brewer at any one time outstanding.

**Sec. 5. P&SL 1925, c. 4, §5,** as amended by P&SL 2001, c. 27, §1, is further amended by adding at the end a new sentence to read:

The district is authorized by its trustees to enter into agreements with the Federal Government, the Maine Municipal Bond Bank and others to lend money to the district or otherwise to assist in the financing of projects that the district is authorized to carry out. The district by its trustees may borrow in anticipation of the issuance of the district's bonds and in anticipation of the receipt of state and federal grants by issuing temporary notes and renewal notes in the name of the district.

**Sec. 6. P&SL 1925, c. 4, §6,** as amended by P&SL 1941, c. 74, §3, is repealed and the following enacted in its place:

**Sec. 6. Sinking fund.** If bonds of the district are made to run for a period of years, a sinking fund for their retirement may be established by the trustees in accordance with any applicable requirements of the Internal Revenue Code and regulations adopted under the code.

**Sec. 7. P&SL 1925, c. 4, §7, first sentence** is amended to read:

The trustees of the ~~city~~City of Brewer High School District shall determine the sum to be paid annually into ~~the~~any sinking fund;~~established by the Trustees or,~~ if the bonds authorized by this act ~~shall be~~ issued to mature serially, what amount is required each year to meet the bonds falling due; and what sum is required each year to meet the interest on ~~said~~the bonds or other obligations; and other necessary expenses in the district; and shall each year thereafter; before the first day of April, issue their warrant in the same form as the warrant of the ~~state treasurer~~State Treasurer for taxes, with proper changes, to the assessors of the ~~city~~City of Brewer, requiring them to assess the sum so determined upon the taxable polls and estates within ~~said~~the district and to commit their assessment to the constable or collector of ~~said~~the City of Brewer, who ~~shall have~~has all authority and powers to collect ~~said~~those taxes as is vested by law to collect state, county and municipal taxes.

**Sec. 8. P&SL 1925, c. 4, §8, first sentence,** as amended by PL 1941, c. 74, §4, is further amended to read:

~~At such time as the~~When any high school building and such other buildings the erection of which is authorized in section 1-A herein ~~shall have been completed, equipped; and occupied by pupils of said~~the district and the board of trustees of the district ~~shall have~~has discharged all of its principal obligations and the property of ~~said~~the district ~~shall be~~is free and clear of all indebtedness, the board of trustees ~~shall automatically cease~~ceases to function, and all of the duties, management, care, renovation, repair and maintenance ~~shall revert to the school board of the~~the City of Brewer or such other board as may, at that time, have jurisdiction over similar school property, and the ~~then~~ president and treasurer shall cause to be executed, signed and delivered; a good and sufficient deed of all the property in ~~said~~the district; to the ~~city~~City of Brewer.

**Sec. 9. Referendum; effective date.** This Act takes effect only for the purpose of permitting its submission to the legal voters within the City of Brewer at a special or regular city election, which must be held in conjunction with a referendum election on a proposed elementary school construction project to be constructed by the City of Brewer High School District. The election must be called, advertised and conducted according to law and must be held prior to December 31, 2008. The city clerk shall prepare the required ballots, on which the city clerk shall reduce the subject matter of this Act to the following question:

"Do you favor increasing the debt limit of the City of Brewer High School District from \$5,000,000 to 7.5% of the most recent state valuation of the City of Brewer?"

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The legal voters of the City of Brewer shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The results must be declared by the municipal officers of the City of Brewer and due certificate of the results filed by the city clerk with the Secretary of State. This Act takes effect upon approval of both a new elementary school construction project and acceptance of this Act by a majority of those voting at the election.