

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 Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by Maine School Administrative District No. 29

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

Whereas, Maine School Administrative District No. 29 is made up of the towns of Hammond, Houlton, Littlefield and Monticello and is authorized pursuant to state law to operate and maintain schools within the district; and

Whereas, at the district referendum held November 6, 2007, the voters of the district voted to authorize the board of directors of the district to renovate Houlton High School at a cost not to exceed \$2,500,000, to construct a new performing arts center at the high school at a cost not to exceed \$5,000,000 and to accept and expend gifts for the performing arts center project as described in the warrants and ballots for the referendum; and

Whereas, an engineer has been retained to draft plans for the high school renovation project; and

Whereas, the warrant for the referendum in the Town of Hammond was not countersigned by the selectmen of that town as required by the Maine Revised Statutes, Title 20-A, section 1352, subsection 1, paragraph B; and

Whereas, the failure of the selectmen to countersign the warrant in the Town of Hammond has created a legal technicality that could affect the marketability of the bonds or notes to be issued by the district in connection with the 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. Validation and authorization. Notwithstanding any provision of the Maine Revised Statutes to the contrary, the Maine School Administrative District No. 29 referendum conducted on November 6, 2007 and the proceedings related to that referendum are validated and made effective. Maine School Administrative District No. 29 is authorized to enter into contracts and to issue bonds or notes of the district for the renovation of Houlton High School in an amount not to exceed \$2,500,000, to construct a performing arts center at a cost not to exceed \$5,000,000 and to issue bonds or notes and accept and expend gifts for the performing arts center, as set forth in Question 1 of the warrant and ballots for the referendum, which provided for:

1. Performing arts gifts. The board of directors is not authorized to issue any bonds or notes for the performing arts project until donors have made cash gifts and written pledges for the performing arts project in the aggregate amount of \$2,500,000 or more; and

2. Performing arts borrowing. After the minimum amount of gifts for the performing arts project has been received as cash or in the form of written pledges, the board of directors may issue general obligation bonds or notes for the performing arts project, as long as the amount authorized is reduced by the total amount of cash gifts received prior to the commitment to issue those bonds or notes, and as long as all pledged gifts are used upon receipt to pay debt service on those bonds or notes.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective April 18, 2008.