

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-THREE

—
H.P. 573 - L.D. 917

**An Act to Validate Certain Proceedings Authorizing the Issuance of Bonds
and Notes by the City of Rockland**

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

Whereas, the City of Rockland is authorized pursuant to state law and its charter to borrow money and to issue its general obligation bonds and notes in furtherance of its municipal purposes; and

Whereas, at a city referendum held November 8, 2022, the voters of the city ratified and approved 3 bond ordinances that authorized the city to issue its general obligation bonds and notes for the following purposes and in the following amounts: an amount not to exceed \$15,000,000 to finance roads and sidewalk improvements, \$2,400,000 to finance the permanent closure of the city landfill and \$15,000,000 to finance storm water projects, plus, in each instance, an amount not to exceed 2% to pay costs of issuance, all as described in the notices, warrants and ballots for the referendum; and

Whereas, the voters of the city voted in favor of the 3 bond ordinance questions as follows: Question 1, roads and sidewalk improvements, 2,360 in favor and 736 against, with 171 blank ballots; Question 2, landfill closure, 1,866 in favor and 1,158 against, with 243 blank ballots; and Question 3, storm water projects, 2,275 in favor and 796 against, with 196 blank ballots; and

Whereas, the Maine Revised Statutes, Title 30-A, section 5772, subsection 2-A requires that any question submitted to the electors for ratification of a general obligation bond be accompanied by a statement signed by the treasurer of the municipality setting forth certain information including the following:

1. The total amount of bonds of the municipality outstanding and unpaid, the total amount of bonds of the municipality authorized and unissued and the total amount of bonds of the municipality contemplated to be issued if the submitted questions are ratified;
2. The estimated cost of interest on the bond amount to be issued and the total cost of principal and interest to be paid at maturity; and

3. A declaration that the validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the foregoing estimate; and

Whereas, due to an inadvertent oversight, the 3 bond ordinance questions were submitted to the voters without the signed statement required by Title 30-A, section 5772, subsection 2-A; and

Whereas, the failure to include such a signed statement as strictly required by Title 30-A, section 5772, subsection 2-A could affect the marketability of the bonds or notes to be issued by the city 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 or the charter of the City of Rockland to the contrary, the City of Rockland referendum conducted on November 8, 2022 with respect to the 3 bond ordinance questions and the proceedings related to that referendum are validated and made effective. The City of Rockland is authorized to enter into contracts and to issue bonds or notes of the city in an amount not to exceed \$15,000,000 to finance roads and sidewalk improvements, all as set forth in "Bond Question #1 Roads & Sidewalks" of the warrant and ballot for the referendum; \$2,400,000 to finance the permanent closure of the city landfill, all as set forth in "Bond Question #2 Landfill Closure" of the warrant and ballot for the referendum; and \$15,000,000 to finance storm water projects, all as set forth in "Bond Question #3 Storm Water Projects" of the warrant and ballot for the referendum, plus, in each instance, up to 2% for costs of issuance.

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