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An Act To Exempt Certain Necessary School Auxiliary Buildings for New Heating Systems from Referendum Requirements

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

Whereas, current law requires that, prior to final approval by the Board of Education, a school construction project must be approved at a public referendum; and

Whereas, only a project fitting a very limited definition of a small scale school construction project is exempt from the referendum requirement; and

Whereas, it would expedite needed improvement projects to permit the construction of an auxiliary building to house a new heating system without a public referendum; and

Whereas, it is necessary that this exemption be implemented immediately in order for schools to begin project planning; 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. 20-A MRS §15904, first ¶, as amended by PL 1985, c. 248, §3, is further amended to read:

Prior to final approval by the state board, a school construction project, except a small scale school construction project as defined in section 15901, subsection 4-A or the construction of an auxiliary building for the housing of a heating system, must receive a favorable vote conducted in accordance with the following.

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

SUMMARY

This bill exempts the construction of a school's auxiliary building for the housing of a heating system from the public referendum requirement.