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## **An Act To Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by the City of Brewer High School District**

**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 Brewer High School District is authorized pursuant to state law to purchase land and to erect, equip, repair, renovate and maintain schools within the City of Brewer; and

**Whereas,** pursuant to Private and Special Law 2005, chapter 42, the Legislature approved an increase in 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 subject to approval at a referendum in the City of Brewer; and

**Whereas,** the State Board of Education has granted concept approval and design and funding approval for a school construction project to construct and equip a new prekindergarten to grade 8 elementary school in the City of Brewer High School District; and

**Whereas,** at a district referendum held on December 4, 2007, the voters of the City of Brewer voted to increase 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 and also voted to authorize the trustees of the City of Brewer High School District to issue bonds or notes for school construction purposes for the project; and

**Whereas,** an architect and engineers have been retained to draft plans for the project; and

**Whereas,** specimen ballots for the referendum were not published in any newspapers as required by the Brewer City Charter; and

**Whereas,** the failure to publish the specimen ballots has created a legal technicality that could affect the marketability of the bonds or notes to be issued by the City of Brewer High School District in connection with the project; 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 other provision of law, the City of Brewer High School District school construction referendum conducted on December 4, 2007 and the proceedings related to that referendum are validated and made effective. The debt limit of the City of Brewer High School District is increased from \$5,000,000 to 7.5% of the most recent state valuation of the City of Brewer as set forth in Question 1 of the warrant and ballots for the referendum; the City of Brewer High School District is authorized to enter into contracts and to issue bonds or notes of the district for school construction purposes in an amount not to exceed \$39,487,883 to construct and equip

PS Law, Chapter 39 LD 2234, item 1, 123rd Maine State Legislature  
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a prekindergarten to grade 8 school, all as set forth in Question 2 and Question 3 of the warrant and ballots for the referendum; and the City of Brewer High School District is authorized to accept gifts for the project as set forth in Question 4 of the warrant and ballots for the referendum.

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

Effective March 28, 2008.