

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND AND EIGHTEEN

H.P. 1270 - L.D. 1828

**An Act To Validate Certain Proceedings Authorizing the Issuance of Bonds  
and Notes by the City of Bath**

**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 Bath 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 7, 2017, the voters of the city voted to adopt a bond ordinance that authorized the city to issue up to \$2,800,000 of its general obligation bonds and notes to finance sidewalks and street and road construction, reconstruction and paving projects, as described in the notices, warrants and ballots for the referendum; and

**Whereas,** the voters of the city voted in favor of the bond question, 1,834 in favor and 396 against, with 108 blank ballots; and

**Whereas,** Section 1009 of the city charter requires that the complete text of the bond ordinance be published in a newspaper of general circulation in the city not less than 10 days nor more than 15 days prior to the election; and

**Whereas,** while the complete text of the bond ordinance was published in a newspaper of general circulation in the city, it was published 4 days prior to the election and not between 10 and 15 days prior to the election; and

**Whereas,** the failure to publish the text of the bond ordinance as strictly required by the city charter creates a legal technicality that 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 Bath to the contrary, the City of Bath referendum conducted on November 7, 2017 and the proceedings related to that referendum are validated and made effective. The City of Bath is authorized to enter into contracts and to issue bonds or notes of the city in an amount not to exceed \$2,800,000 to finance sidewalks and street and road construction, reconstruction and paving projects, all as set forth in "Bond Ordinance - Question One" of the warrant and ballot for the referendum.

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