

## STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FOURTEEN

S.P. 753 - L.D. 1855

**An Act To Validate Certain Proceedings Authorizing the Issuance of Bonds  
and Notes of the Town of Old Orchard Beach**

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

**Whereas**, under current law a municipality is authorized to issue general obligation securities to fund public schools and libraries; and

**Whereas**, at the annual town election held on November 8, 2011, the voters of the Town of Old Orchard Beach voted to approve Referendum Question No. 5, which authorized the issuance of general obligation securities of the Town of Old Orchard Beach in an amount not to exceed \$2,000,000 to construct and equip an addition to the Edith Belle Libby Memorial Library, and Referendum Questions No. 1 to No. 4, which concern modifications to the Charter of the Town of Old Orchard Beach; and

**Whereas**, an architect has been retained to prepare plans and a construction contract has been entered into to construct the proposed addition to the Edith Belle Libby Memorial Library; and

**Whereas**, the Town of Old Orchard Beach plans to issue up to \$2,000,000 in general obligation securities to finance the addition to the Edith Belle Libby Memorial Library; and

**Whereas**, specimen ballots rather than warrants or notices of election were posted in public and conspicuous places in the Town of Old Orchard Beach prior to the referendum on November 8, 2011; and

**Whereas**, the posting of specimen ballots rather than warrants or notices of election prior to the November 8, 2011 referendum has created a legal technicality that could affect the marketability of the town's general obligation securities for the addition to the Edith Belle Libby Memorial Library and could jeopardize the approval of the other referendum questions of the November 8, 2011 election; and

**Whereas**, it is imperative that any ambiguity regarding the legitimacy of the referendum be resolved as quickly as possible; 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 to the contrary, the Town of Old Orchard Beach referendum votes conducted on November 8, 2011 and any proceedings related to those referendum votes are validated and made effective. The Chair of the Town Council and Treasurer of the Town of Old Orchard Beach are authorized to enter into contracts and to issue bonds or notes in the name of the Town of Old Orchard Beach in an amount not to exceed \$2,000,000 to construct and equip an addition to the Edith Belle Libby Memorial Library in the Town of Old Orchard Beach.

**Sec. 2. Retroactivity.** This Act applies retroactively to November 8, 2011 with respect to any proceedings relating to the contracts and bonds or notes to construct and equip the addition to the Edith Belle Libby Memorial Library and the other referendum questions approved at the referendum conducted on November 8, 2011 in the Town of Old Orchard Beach.

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