

# MAINE STATE LEGISLATURE

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## ONE - HUNDRETH LEGISLATURE

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**Legislative Document**

**No. 453**

H. P. 301

House of Representatives, January 18, 1961

Referred to Committee on Education. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Pike of Lubec.

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### STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-ONE

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#### **AN ACT to Create a School Administrative District in the Town of Lubec.**

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**Emergency preamble.** Whereas, the school committee of the Town of Lubec has filed an application with the Maine School District Commission to become a school administrative district; and

Whereas, a committee from this municipality has conducted a thorough study of the school conditions and finds there is a vital need for safe and adequate school facilities and improved educational program in the municipality; and

Whereas, it is geographically impossible to meet the minimum requirement of 300 resident high school pupils in this area; and

Whereas, the Maine School District Commission cannot approve the Town of Lubec as a school administrative district under the criteria set out in the Revised Statutes of 1954, chapter 41, section III-E; 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:

**School administrative district for Lubec authorized.** The residents of and the territory within the Town of Lubec are created a school administrative district, subject to and governed by all the provisions of the Revised Statutes of 1954, chapter 41, relating to school administrative districts. The district shall assume all outstanding indebtedness for school construction or the purchase of

personal property used for school purposes in the municipality for which the Town of Lubec is liable at the time of the vote. Said district shall be managed pursuant to the Revised Statutes of 1954, chapter 41, by a board of school directors consisting of 5 persons to be elected by the residents of the district at a meeting for that purpose. The board of school directors shall be elected, subject to the acceptance of this act, by a plurality vote of the legal voters of the district, voting on one for a one-year term, 2 for 2-year terms and 2 for 3-year terms. At the expiration of each term the vacancy or vacancies shall be filled for 3-year terms.

The Town of Lubec agrees to accept tuition pupils from Trescott or any other deorganized territory in the area.

This act shall not take effect unless accepted and approved by a majority vote of those voting on the following article at a legally called town meeting: "Shall the Act to Incorporate the Town of Lubec as a School Administrative District, be accepted?"

The clerk of the Town of Lubec shall make a return to the Maine School District Commission, showing the number of total votes cast for and against the article submitted. If the Maine School District Commission finds that a majority of the residents of the Town of Lubec voting on the article submitted have voted in the affirmative, the commission shall make a finding to that effect and record the same in its records. The commission shall further assign a number and issue a certificate of organization to the district, which shall be the official title of the school administrative district. The certificate of organization shall be delivered by the Maine School District Commission to the district directors on the date set for the first meeting of the board of school directors. The district shall, within 90 days from the date of filing the returns with the Maine School District Commission, call a meeting to elect the board of school directors and the clerk shall forward the names of the directors elected and their respective terms of office. Upon receipt of the names of the directors, the Maine School District Commission shall set a date for the first meeting of the board of school directors. On the date so set, the school administrative district shall become operative and the directors shall assume the management and control of the operation of all the public schools within said district and after such date the Town of Lubec shall have no responsibility for the control or operation of the public schools within its jurisdiction.

**Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.