

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE - HUNDRETH LEGISLATURE

Legislative Document

No. 1178

H. P. 738

House of Representatives, February 1, 1961

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

HARVEY R. PEASE, Clerk

Presented by Mr. Wood of Brooks.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT to Authorize the Withdrawal of the Town of Brooks from School Administrative District No. 3.

Emergency preamble. Whereas, the voters of the Town of Brooks have indicated their desire to withdraw from School Administrative District No. 3 in the manner prescribed by law; and

Whereas, any delay in effecting that withdrawal impedes the development of an improved educational program in the Town of Brooks and in the other towns comprising the said school administrative district; 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. Withdrawal authorized. The withdrawal of the Town of Brooks from School Administrative District No. 3 is authorized, effective July 1, 1961. Prior to that date the Town of Brooks shall cause to be chosen a superintending school committee of not less than 3 members whose terms shall expire at the annual town meetings in successive years, and who shall, after July 1, 1961, perform all duties required by statute of the superintending school committee.

Sec. 2. School property. On July 1, 1961, or within 14 days thereafter, the school directors of School Administrative District No. 3 shall convey and deliver

to the Town of Brooks all school property and buildings previously transferred by the Town of Brooks to School Administrative District No. 3 and owned by School Administrative District No. 3 upon the date when this act takes effect.

Sec. 3. Expenses. As its proportionate share of the 1961-1962 budget for operational expenses prior to such withdrawal, the Town of Brooks shall pay to School Administrative District No. 3 $\frac{1}{2}$ of the sum set forth in the warrant issued by the directors of the said school administrative district to the assessors of the Town of Brooks in 1961. The remainder of the sum raised by taxation pursuant to that warrant may be appropriated by the Town of Brooks for any school purposes.

Sec. 4. Apportionment. For 1961 the Commissioner of Education shall apportion to the Town of Brooks $\frac{1}{2}$ of the educational subsidy to which it as a single town is entitled under the Revised Statutes of 1954, chapter 41, sections 237-D and 237-E; he shall apportion to School Administrative District No. 3 the educational subsidy to which it is entitled as a school administrative district reduced by such payment to the Town of Brooks.

Sec. 5. School supervisory union. Upon withdrawal from School Administrative District No. 3, the Town of Brooks shall again be allocated to School Supervisory Union No. 67 for the purpose of employing a superintendent of schools, subject from time to time to adjustment in the grouping of school administrative units in accordance with the provisions of the Revised Statutes of 1954, chapter 41, section 77.

Sec. 6. Liability. Upon conveyance of school property and buildings to the Town of Brooks as provided in section 2, School Administrative District No. 3 shall have no further liability to the Town of Brooks nor responsibility for the operation of its public schools. Upon payment to School Administrative District No. 3 of the sums provided in section 3, the Town of Brooks shall have no further liability or responsibility relative to the operations of School Administrative District No. 3 and the treasurer of School Administrative District No. 3 shall no longer be empowered to levy upon real and personal property within the said Town of Brooks. On July 1, 1961, the school director heretofore elected by the Town of Brooks will cease to serve as one of the school directors of School Administrative District No. 3 and he shall hold no office whatsoever by virtue of that election as school director.

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