

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 367

H. P. 273

House of Representatives, January 17, 1963

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Thornton of Belfast.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

AN ACT to Incorporate the City of Belfast as a School Administrative District.

Emergency preamble. Whereas, the school committee of the City of Belfast 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, particularly at the secondary level, and an improved educational program in this municipality; and

Whereas, the geographical location of the City of Belfast on Penobscot Bay restricts the number of neighboring towns with which it might join in a school administrative district; and

Whereas the imminence of vigorous opposition in the neighboring towns to the organization of a school administrative district, and the threat of litigation to block any building program undertaken by a school administrative district embracing those towns, make it impracticable to proceed under the general law; and

Whereas, the City of Belfast desires to provide adequate facilities at the secondary level not only for its own pupils but also, upon a contract basis, for the pupils of the neighboring towns of Belmont, Morrill, Northport, Searsmont and Swanville; and once the necessary building program is accomplished, to then entertain proposals that all or a portion of the said towns join the City of Belfast in a school administrative district; and

Whereas, the Maine School District Commission cannot approve the City of Belfast as a school administrative district under the criteria set out in the Revised Statutes of 1954, chapter 41, section 111-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 :

Sec. 1. School administrative district for Belfast authorized. The residents of and the territory within the City of Belfast, in the County of Waldo, are created a school administrative district, subject to and governed by all the provisions of the Revised Statutes of 1954, chapter 41, as amended, relating to school administrative districts. The school administrative 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 City of Belfast and school districts within the said city are liable at the time of the creation of the district. The said school administrative district shall be managed pursuant to the Revised Statutes of 1954, chapter 41, as amended, by a board of school directors consisting of 5 persons to be elected by the residents of the district at a meeting called 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 2 for terms expiring on the 3rd Saturday of March in the year next following, and 3 for terms expiring on the 3rd Saturday of March in the 3rd year following. At the expiration of each term the vacancy or vacancies shall be filled for 4-year terms.

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 election in the City of Belfast: "Shall 'An Act to Incorporate the City of Belfast as a School Administrative District' passed by the 101st Legislature, be accepted?"

The clerk of the City of Belfast 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 City of Belfast voting on the article submitted have voted in the affirmative, the commission shall make a finding to that effect and record the same in the records. The commission shall further assign a number and issue a certificate of organization to the district, which will 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.

Sec. 2. Organization of school administrative district. The district shall within 90 days from the date of filing the returns with the Maine School District Commission call a municipal election to elect a 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 the said district, and after such date the City of Belfast 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.