

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 419

S. P. 142

In Senate, January 17, 1963

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

CHESTER T. WINSLOW, Secretary.

Presented by Senator Brooks of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

AN ACT to Clarify the Procedure for the Dissolution of School Administrative Districts.

Emergency preamble. Whereas, the present statute for the dissolution of school administrative districts has proved costly and cumbersome; and

Whereas, it is necessary to clarify and simplify the method of voting on dissolution so that the various municipalities or school administrative districts will be able to proceed with needed construction programs to replace inadequate and unsafe school buildings; and

Whereas, it is essential that safe and adequate school facilities be constructed in many school administrative districts and municipalities without further delay; 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. R. S., c. 41, § 111-P, amended. The 5th paragraph from the end of section 111-P of chapter 41 of the Revised Statutes, as enacted by section 1-B of chapter 364 of the public laws of 1957 and as last repealed and replaced by section 1 of chapter 270 of the public laws of 1961, is amended to read as follows:

'Article: To see if the residents of School Administrative District No. ...

will vote to dissolve School Administrative District No. ... subject to the following terms and conditions: ~~(Set forth agreement recommended by the Maine School District Commission)~~ of the dissolution agreement dated19 Yes No

The dissolution agreement need not be printed on the ballot. Copies of said agreement must be posted in each participating municipality in the same manner as specimen ballots must now be posted under chapter 90-A.'

Sec. 2. R. S., c. 41, § 111-P, amended. Section 111-P of chapter 41 of the Revised Statutes, as enacted by section 1-B of chapter 364 of the public laws of 1957 and as last repealed and replaced by section 1 of chapter 270 of the public laws of 1961, is amended by adding before the last paragraph the following paragraph:

'If within 7 days of the computation and recording of the results of the voting from all municipalities, the municipal officers of any participating municipality request in writing a recount of the votes in the district, the District Commission shall forthwith cause the check lists and all the ballots cast in all of the participating municipalities to be collected and kept at the commission office so they may be recounted by interested municipalities. The town clerks of the participating municipalities are hereby authorized to deliver said check lists and ballots to the commission notwithstanding any other provision of the law to the contrary. The commission shall resolve any question with regard to disputed ballots.'

Sec. 3. R. S., c. 41, § 111-P, amended. Section 111-P of chapter 41 of the Revised Statutes, as enacted by section 1-B of chapter 364 of the public laws of 1957 and as last repealed and replaced by section 1 of chapter 270 of the public laws of 1961, is amended by adding at the end a new paragraph to read as follows:

'Whenever a School Administrative District is dissolved by vote of the residents of the district, the state aid to the member towns of the dissolved district shall be determined as follows:

The amount of state aid that the district would have received, minus the 10% bonus, as computed under section 237-G, shall be distributed to the member towns in the same proportion as the member towns' resident pupil count, as hereafter defined, is to the total resident pupil count of the total district. The resident pupil count shall be the average April 1st pupil count of the 2 school years next preceding the convening of the Legislature.'

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