

MAINE STATE LEGISLATURE

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SEVENTY-THIRD LEGISLATURE

HOUSE.

No. 232

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND SEVEN.

AN ACT to establish a Board of Education in the city of
Augusta, and to provide for a uniform system of schools
therein.

*Be it enacted by the Senate and House of Representatives in
Legislature assembled, as follows:*

Section 1. A board of education is hereby created in the
2 city of Augusta, to consist of nine persons, one from each
3 of the eight wards of said city, elected as hereinafter pro-
4 vided, and the treasurer of said city, who shall be ex-officio
5 a member of said board and entitled to participate in its
6 deliberations and serve upon any committees of its own
7 appointment, but who shall have a casting vote only.

Sect. 2. On the first Monday of June, 1907, at half past
2 seven o'clock in the evening, the electors of the several
3 wards in the city of Augusta, qualified to vote at municipal

4 elections therein, and without regard to their political affili-
5 ations, shall meet in such place in the ward as the mayor
6 and aldermen of said city may designate in their warrants,
7 for the purpose of electing, in each ward, one member of
8 the board of education. Said meetings shall be called by
9 the mayor and aldermen by a warrant for each ward under
10 their hands, stating the time, place and purposes of the meet-
11 ing, true and attested copies whereof shall be posted by the
12 city marshal or any constable of the said city at least seven
13 days before the day of the meeting and in at least two
14 public and conspicuous places in the ward. The marshal
15 or said constable shall deliver the original warrants, with
16 a return of his doings thereon, to the chairmen of said ward
17 meetings, on or before the date thereof, and the secretaries
18 of said meetings shall make a record thereof. The city
19 clerk shall also cause a notice of such meetings to be pub-
20 lished in at least two newspapers in the city of Augusta,
21 representing if possible different political parties, between
22 the time of issuing the warrants and the time appointed for
23 said meetings. Said ward meetings shall be respectively
24 organized by the choice of a chairman and a secretary, by
25 ballot or otherwise, and shall thereupon, by ballot or other-
26 wise as may be determined at the meeting, proceed to the
27 election of a member of said board of education, who shall
28 be a resident of the ward where elected. The tenure of
29 office of the members so elected shall be as follows: those
30 from wards one, two and three, until the first Monday of

31 June, 1908; those from wards four, five and six, until the
32 first Monday of June, 1909; and those from wards seven
33 and eight, until the first Monday of June, 1910; and in each
34 instance, until others are elected in their places. On each
35 first Monday of June thereafter, at half-past seven o'clock
36 in the evening, commencing with the year 1908, one member
37 of said board shall be chosen by each of those wards whose
38 members' terms are about to expire, and the term of office
39 shall be three years, and until others shall be elected in their
40 places. Meetings for the purpose shall be called and con-
41 ducted in the manner prescribed for the meetings of 1907.
42 In case of a vacancy, a member may be chosen by the ward
43 in which the vacancy exists to fill the unexpired term, at a
44 meeting specially called for the purpose by the mayor and
45 aldermen, and conducted like other similar meetings.

Sect. 3. The board of education, elected as hereinbefore
2 provided, shall perform all the duties and be invested with
3 all the rights and powers of superintending school commit-
4 tees of towns, including the right to direct the expenditure
5 of all school moneys. The board shall elect a chairman
6 annually, and appoint some suitable person, not a member
7 of the board superintendent of schools, and may adopt such
8 rules and regulations for the management of the schools
9 and the conduct of the business of the board as are not
10 inconsistent with the laws of the State. The superintendent
11 shall be the secretary and executive agent of the board,
12 which shall fix his salary, to be paid from the city treasury

13 as salaries of teachers are paid, and may remove him for
14 good cause and appoint a successor. The members of the
15 board shall receive no compensation for their services as
16 such. They shall not be members of the city council.

Sect. 4. On the second Monday of April at half-past seven
2 o'clock in the evening, annually, commencing with the year
3 1908, a general meeting of the citizens of said city, qualified
4 to vote at municipal elections therein, and without regard
5 to their political affiliations, shall be convened in the City
6 Hall of said city. Such meeting shall be called in the man-
7 ner prescribed for calling ward meetings in section 2 of
8 this act, except that there shall be but one original warrant.
9 true and attested copies whereof shall be posted by the city
10 marshal or any constable of said city at least seven days
11 before the day of the meeting, and in at least two public
12 and conspicuous places in each ward. The marshal or said
13 constable shall deliver the original warrant, with a return
14 of his doings thereon, to the moderator of said meeting
15 when elected, and the secretary of the meeting shall make
16 a record thereof. Any citizen qualified to vote at municipal
17 elections in said city may call the meeting to order, and
18 preside until the election of a moderator. The meeting shall
19 immediately proceed, by ballot or otherwise, to the choice
20 of a moderator and a secretary. The moderator shall pre-
21 side with the power of moderators of town meetings, and
22 together with the secretary shall be duly sworn by any
23 justice of the peace of said city. A record of such oaths

24 shall be made by the secretary. At such meeting the board
25 of education shall submit a printed report, the edition where-
26 of shall consist of fifteen hundred copies, of the affairs and
27 condition of the city schools for the year ending on the
28 first day of April next preceding the meeting, together with
29 an estimate of the amount needed for school purposes for
30 the current year. The said electors present shall have
31 power to raise by vote for the support of the public schools
32 in said city, for the current year ending on the first day of
33 April such sum, not less than the amount required by the
34 general laws of the State, as they may deem necessary for
35 that purpose. The secretary shall forthwith, or within the
36 time prescribed by the meeting, certify the amount thereof
37 to the assessors of said city, and it shall be included with,
38 and assessed like other city taxes, and all the provisions of
39 law relating to the assessment and collection of taxes shall
40 be applicable to such tax. Said meeting shall also have the
41 power of borrowing money to build schoolhouses, set forth
42 in section 81 of the Revised Statutes of 1883, relating to
43 school districts, and so far as applicable the provisions of
44 sections 81 to 84 inclusive of the Revised Statutes of 1883
45 relative thereto shall be in force in said city. This act shall
46 not preclude or limit the authority of the city council of
47 said city to raise, or expend money for school purposes, in
48 addition to the amounts raised as aforesaid.

Sect. 5. The fifth sentence of section 4 of the charter of
2 said city is hereby amended by striking therefrom the words

3 “superintending school committee,” so that said sentence
4 as amended, shall read as follows :

“Except as otherwise provided by law, all officers shall
6 be chosen and vacancies supplied for the current year,
7 of whom the assessors, city marshal, chief engineer of fire
8 department, collector, overseer of the poor, street engineer,
9 street commissioners, and treasurer, shall not be members
10 of the city council, and except as herein otherwise directed.”

Sect. 6. This act shall be submitted for acceptance to the
2 qualified voters of said city of Augusta, at an election to
3 be specially called for the purpose and held on the second
4 Monday of May, in the year of our Lord one thousand nine
5 hundred and seven, said election to be called, advertised,
6 held and conducted as provided by law relating to municipal
7 elections in said city. The question of the acceptance of the
8 act shall be submitted to said electors in the following form :
9 “Shall ‘An act to establish a board of education in the city
10 of Augusta, and to provide for a uniform system of schools
11 therein,’ be accepted?” The city clerk shall prepare the
12 ballots to be used at said election in such form that the
13 elector may plainly indicate by a cross placed over the word
14 “yes,” or “no,” his opinion upon said question. Should
15 said question receive more affirmative than negative votes
16 at said election, this act shall be deemed to have been
17 accepted. The result of said election shall be declared by
18 the municipal officers of said city, and duly certified by the
19 city clerk to the secretary of state. A printed copy of the

20 provisions of this act shall be posted at the time and places
21 specified by law for posting notices of such election, and in
22 at least two conspicuous places in each voting place during
23 said election.

Sect. 7. In case this act is accepted, as provided in the
2 preceding section, immediately upon the election of the
3 members of the board of education at the ward meetings
4 held on the first Monday of June, 1907, the terms of office
5 of all then existing members of the superintending school
6 committee, directors, officers and agents of school districts,
7 and of all other school committees, officials or agents in
8 said city of Augusta, shall thereupon cease; and all school
9 districts in said city are thereupon abolished, their rights,
10 liabilities, and property thereafter to be governed by the
11 provisions of sections 2 and 4 of chapter 216 of the Public
12 Laws of 1893.

Sect. 8. Upon the acceptance of this act, as hereinbefore
2 provided, chapter 349 of the Private and Special Laws of
3 1833, chapter 8 of the Private and Special Laws of 1847,
4 chapter 190 of the Private and Special Laws of 1848, chap-
5 ter 272 of the Private and Special Laws of 1849, chapter
6 32 of the Private and Special Laws of 1853, chapter 276
7 of the Private and Special Laws of 1873 and chapter 76
8 of the Private and Special Laws of 1887 are hereby repealed;
9 and all other acts or parts of acts, public or private, and
10 all ordinances of the city of Augusta, inconsistent with
11 the provisions of this act, upon such acceptance are hereby

12 repealed, so far as relates to the city of Augusta.

Sect. 9. Except as otherwise herein provided, this act
2 shall take effect when approved.

STATT OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, February 20, 1905.

Tabled pending reference to the Committee on Education by Mr.
NEWBERT of Augusta, and ordered printed.

E. M. THOMPSON, *Clerk.*