

MAINE STATE LEGISLATURE

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N I N E T Y - T H I R D L E G I S L A T U R E

Legislative Document

No. 1135

H. P. 1510

House of Representatives, February 26, 1947.

Transmitted by revisor of statutes pursuant to joint order

Referred to Committee on Legal Affairs. Sent up for concurrence and 1,000 ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Brewer of Presque Isle.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-SEVEN

**AN ACT to Provide for Financing the Costs of Building and Equipping
Community Schools.**

Be it enacted by the People of the State of Maine, as follows:

R. S., c. 37, §§ 92-J - 92-O, additional. Chapter 37 of the revised statutes, as amended, is hereby further amended by adding thereto 6 new sections to be numbered 92-J to 92-O, inclusive, to read as follows:

‘Sec. 92-J. Town of School District, incorporated. Any town or city which has joined with other towns or cities for the purpose of establishing and maintaining a community school as provided in sections 92-A to 92-I, inclusive, may, by a majority vote of the legal voters of the town at a regular town meeting or election or at a special town meeting or election called for the purpose, form a school district for the purpose of financing its share of the costs of building and equipping such community school. The town clerk shall file a return of such vote with the secretary of state. Said school district, made up of the inhabitants of the town, shall constitute a body politic and corporate under the name of the “Town of School District” for the purpose of securing funds to pay their part of the cost of erecting and equipping the community school.

Sec. 92-K. How managed, trustees, organization, compensation. All the affairs of said district as are hereinafter provided (except election of teachers who shall serve in the said school and the fixing of their salaries, the courses of study, the terms of school and all other matters pertaining to the education of pupils, which matters shall be controlled by the community school committee) shall be managed by a board of 3 trustees appointed by the selectmen of the town, 1 for 1 year, 1 for 2 years and 1 for 3 years; and thereafter 1 each year shall be elected by the voters at the annual town meeting for a term of 3 years; vacancies shall be filled by appointment by the selectmen until the next annual town meeting.

The members of the board, as soon as convenient after they have been chosen as above provided, shall meet upon call of one of their number after such reasonable notice as he shall deem proper. At the first meeting the trustees so appointed shall elect from their membership a chairman, clerk, and treasurer, adopt a corporate seal and do all other acts, matters and things necessary to perfect their organization. Thus organized, the trustees shall have the right and authority to employ such officers and agents as they may deem necessary for the proper conduct and management of the affairs of the district.

The trustees shall serve without compensation, except the treasurer may receive for his services an amount to be fixed by the board of trustees not to exceed \$100 per year. The treasurer shall give a bond to the district in such sum and with such sureties as the trustees may determine, which bond shall be deposited with the chairman. The expense of such bond shall be paid by the district. The treasurer's salary, bond premium, and all expenses of the district shall be paid from the funds of the district. At the close of the fiscal year the trustees shall make a detailed report of their doings, of the financial condition of said district, and the physical condition of said school building or buildings, and also such other matters and things pertaining to said district as shall show the inhabitants thereof how said trustees are fulfilling the duties and obligations of their trust, said reports to be made, attested to and filed with the municipal officers of said town.

Sec. 92-L. Power to borrow money. To procure funds for the purpose of sections 92-J to 82-O, inclusive, and such other expenses as may be necessary to the carrying out of the purposes of said sections, the said district is hereby authorized to issue its bonds and notes, but shall not incur a total indebtedness in excess of 5 per cent of the valuation of such district as determined by the state bureau of taxation. Each bond shall have in-

scribed upon its face the words: "Town of School District" and shall bear interest at such rates as the trustees shall determine, payable semiannually. Said bonds shall be made to mature serially, but none shall run for a longer period than 20 years. All notes or bonds issued by said district shall be signed by the treasurer and countersigned by the chairman of said district, and if coupon bonds be issued, each coupon shall be attested by a facsimile signature of the treasurer printed thereon. Said notes and bonds shall be legal obligations of said district, which is hereby declared to be a quasi-municipal corporation within the meaning of section 132 of chapter 49 of the revised statutes, and all the provisions of said section shall be applicable thereto.

Sec. 92-M. How financed. The trustees of the "Town of School District" shall within 60 days after authorization by vote of the participating towns as provided in section 1 hereof and thereafter annually before April 1st of each year determine the sum required each year to meet the bonds falling due and what further sum is necessary to meet the interest on said bonds or other obligations, and all other expenses necessary for the operation of the district. The trustees shall thereupon issue their warrant in the same form as the warrant of the treasurer of state for taxes, with proper changes, to the assessors of the town or plantation requiring them to assess that sum upon the taxable polls and estates within said town or plantation and to commit the assessment to the constable or collector of said town or plantation who shall have all the authority and powers to collect said taxes as is vested by law to collect state, county and municipal taxes. On or before the 31st day of December of the year in which said tax is so levied, the treasurer of each town or plantation shall pay the amount of the tax so assessed against his said town or plantation to the treasurer of the district. In the case of the failure on the part of the treasurer of said town or plantation to pay said sum or any part thereof on or before said 31st day of December in the year in which said tax is levied, the treasurer of the district may issue his warrant for the amount of said tax or so much thereof as shall then remain unpaid to the county sheriff requiring him to levy by distress and sale on the real and personal property of any of the inhabitants of such defaulting town or plantation and the sheriff or any of his deputies shall execute said warrant except as otherwise provided herein. The same authority as is vested in county officials for the collection of county taxes under the provisions of the revised statutes is hereby vested in the trustees of said district in relation to the collection of taxes within such town or plantation.

Sec. 92-N. Authorization. The "Town of School District" is hereby authorized to turn over to said community school committee such sums of money as it may raise by loan or bond issue for the purpose of constructing a community school building.

Sec. 92-O. Termination of office. The district shall terminate when all indebtedness of the district heretofore established has been paid. Any funds in the hands of the treasurer of the district at the time of its termination shall be paid to the treasurer of the community school to be used for maintenance of the building.