

# MAINE STATE LEGISLATURE

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

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Legislative Document

No. 1379

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S. P. 626

In Senate, March 18, 1949.

Motion by Senator McKusick of Piscataquis ordered referred to Committee on Legal Affairs. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator McKusick of Piscataquis.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-NINE

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AN ACT Relating to State Aid for Community Schools.

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

**Sec. 1. R. S., c. 37, § 92-B, amended.** Section 92-B of chapter 37 of the revised statutes, as enacted by chapter 357 of the public laws of 1947, is hereby amended to read as follows:

**Sec. 92-B. Organization; compensation.** When two or more towns have voted to form a community school district, as provided in the preceding section, the municipal officers of each of the towns in the proposed school district shall appoint 3 persons to be incorporators of said proposed school district ~~and~~ who shall become trustees of said district. Said 3 trustees shall be appointed, one for 1 year, one for 2 years and one for 3 years, and thereafter 1 each year shall be elected by the voters, annually, for a term of 3 years. Vacancies shall be filled by appointment by the selectmen until the next annual town meeting.

When the corporation is thus organized, the trustees shall make a return to the secretary of state setting forth the fact of the organization of the district, the names of the trustees and the officers thereof, the amount of property it is authorized to acquire and hold and the amount of its borrowing power.

**Only those towns voting to join such community school district shall be bound by the terms of sections 92-A to 92-K, inclusive.'**

**Sec. 2. R. S., c. 37, § 92-E, amended.** The 2nd sentence of section 92-E of chapter 37 of the revised statutes, as enacted by chapter 357 of the public laws of 1947, is hereby amended to read as follows:

'The trustees shall thereupon issue their warrants, in substantially the same form as the warrant of the treasurer of state for taxes, to the assessors of each participating town, requiring them to assess upon the taxable polls and estates within said town an amount in proportion to the total sum required each year as that town's valuation bears to the total valuation of all the participating towns, **except that if the apportionment for maintenance and operation of the school results in a per pupil cost to any participating town in excess of 150% of the average per pupil cost for operating the school, the town's apportionment shall be 150% of the average per pupil cost and the balance shall be apportioned among the remaining towns according to state valuation;** and to commit the assessment to the constable or collector of said town who shall have all the authority and powers to collect said taxes as is in him vested by law to collect state, county and municipal taxes.'

**Sec. 3. R. S., c. 37, § 92-H, amended.** Section 92-H of chapter 37 of the revised statutes, as enacted by chapter 357 of the public laws of 1947, is hereby amended by adding at the end thereof the following sentence:

'**Teaching positions, special courses and other bases for allocations to towns because of these schools shall be divided according to the proportional assessment of each town as determined in section 92-E.'**

**Sec. 4. R. S., c. 37, § 92-K, amended.** The 2nd paragraph of section 92-K of chapter 37 of the revised statutes, as enacted by chapter 357 of the public laws of 1947, is hereby amended to read as follows:

'When any one town decides to withdraw from the community school district, it must decide affirmatively to do so by a 2/3 vote of the legal voters in said town present and voting at a special town meeting called for that purpose, and by giving to the community school district a 2-year notice of their intent to withdraw; provided the withdrawing town may claim and demand a share equal to 50% of the equity in its capital investment after deduction of depreciation costs; ~~provided further, that the remaining towns in the district shall assume and be liable for the outstanding indebtedness of the district notwithstanding the provisions of section 92-D~~ **provided further, that neither the district nor the town with-**

**drawing from the district shall be relieved from its obligation on any notes or bonds of the district then outstanding. The superior court in equity shall have jurisdiction for the enforcement of the provisions of this section.'**