

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundredth Legislature

OF THE

STATE OF MAINE

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OF THE

STATE OF MAINE

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Sec. 7. Provisions for termination of the board of trustees. When the school building and related facilities have been completed and occupied by pupils of the district, the board of trustees of the district has discharged all of its principal obligations and the property of the district is free of all debt, the board of trustees shall automatically cease to function and the management of the property of the district shall revert to the superintending school committee of the Town of Bradford and the then president and treasurer of the district shall cause to be executed, signed and delivered a sufficient deed of all the property of the district to the Town of Bradford. All money remaining in the treasury of the district at the time the trustees cease to function shall revert to the Town of Bradford.

Sec. 8. Authority to receive property from the Town of Bradford. The Town of Bradford School District may receive from the Town of Bradford, and the Town of Bradford may convey to the district, any property of the Town of Bradford held for elementary school purposes and any money or other assets which the Town of Bradford obtains for elementary school purposes. Before conveying any property, funds or assets, the municipal officers of the Town of Bradford must be duly authorized to do so by the voters at any annual or special town meeting.

Emergency clause; referendum; effective date. In view of the emergency cited in the preamble, this act shall take effect when approved, only for the purpose of permitting its submission to the voters of the Town of Bradford at any regular or special town meeting called for the purpose not later than 8 months after approval of this act. Any special meeting shall be called, notified and conducted according to law, but the selectmen in the Town of Bradford need not prepare for posting, nor the town clerk to post, a new list of voters. For the purpose of registration of voters, the selectmen shall be in session one hour next preceding the special meeting.

The town clerk shall prepare the required ballots, on which he shall reduce the subject matter of this act to the following question: "Shall the Act to Incorporate the Town of Bradford School District, passed by the 100th Legislature, be accepted?" The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

This act shall take effect immediately upon its acceptance by a majority of the voters voting at said meeting, but only if the total number of votes cast for and against the acceptance of this act is at least 20% of the total vote for all candidates for Governor in the Town of Bradford at the next previous gubernatorial election.

The result of the vote shall be declared by the municipal officers of the Town of Bradford and a due certificate thereof shall be filed by the town clerk with the Secretary of State.

Effective March 17, 1961

Chapter 83

AN ACT to Provide Schooling in Brunswick for Tuition Pupils from Certain Other Towns.

Emergency preamble. Whereas, the Towns of Bowdoin, Bowdoinham, Durham, Harpswell and Topsham lack school facilities for all or part of their

school pupils, and the Town of Brunswick is willing to furnish such facilities to tuition pupils from any or all of these towns, provided agreements satisfactory to all towns can be made; and

Whereas, it appears such arrangements would require expenditures by the Town of Brunswick of funds for alterations or additions to existing buildings in order to accommodate the total enrollment of pupils, and may from time to time in the future require further alterations or additions or other expense; and

Whereas, contracts now in existence between Brunswick and Harpswell and Topsham require payment by said towns to Brunswick for certain past construction costs and said costs have now been nearly paid in full; and

Whereas, because of said participation in prior construction costs, application of the normal tuition charges may be inequitable as to said two towns; and

Whereas, arrangements with reference to the school year beginning in 1961 must be made during the Spring of 1961 in order that facilities may be available for said school year; and

Whereas, only by immediate legislative authorization of such contracts can the schooling of all such tuition pupils for the school year beginning in 1961 be accomplished; 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. Tuition contracts authorized. The Towns of Bowdoin, Bowdoinham, Durham, Harpswell and Topsham, hereinafter called the "tuition towns," or any of them, through their respective superintending school committees may contract with the Town of Brunswick for the education of their pupils in the schools of Brunswick. The Town of Brunswick through its superintending school committee may contract with any or all of the tuition towns for the education of their pupils.

Sec. 2. Scope of contracts. The contracts authorized by section 1 shall contain such terms and conditions as are mutually agreeable to the contracting towns. Such contracts may be for any term of years, and may be renewed, amended or supplemented at any time or times by mutual agreement of the contracting towns. Notwithstanding any provision of law to the contrary, such contracts may establish such tuition charges as the contracting towns may deem mutually agreeable. Such charges may include payments to Brunswick on account of capital improvements made or to be made by Brunswick in whole or in part for the accommodation, directly or indirectly, of pupils from the tuition towns. Such charges on account of capital improvements may, in the case of Harpswell and Topsham, be modified to reflect prior payments by said towns to Brunswick on account of prior capital improvements. In such contracts, Brunswick may agree to construct such capital improvements as from time to time may appear necessary to accommodate Brunswick pupils and tuition pupils.

Sec. 3. Contracts to be approved by contracting towns. No contract authorized by this act, or any renewal or amendment thereof, or any contract supplemental thereto, shall be valid unless approved by the contracting towns at town meetings. Articles in the warrant for such meetings need not contain the text or the details of the contract but may make a general reference to the proposed tuition contract as negotiated by the superintending school committees of the contracting towns.

Sec. 4. State aid. Nothing herein contained shall be taken as diminishing any payment of state school money or state aid for schools to which Brunswick or any tuition town is or may be entitled under general provisions of law.

Sec. 5. Capital payments under present agreement authorized. The Towns of Topsham and Harpswell, without new contracts and without further vote of the respective towns, are hereby authorized to pay Brunswick the sum of \$65 for each of their respective pupils per year until the total capital costs and interest contemplated to be paid by Topsham and Harpswell, respectively, under their original contracts with Brunswick have been fully paid. Brunswick is hereby authorized to accept said capital and interest payments without new contracts and without further vote of the town. Once full payment of said capital cost and interest shall have been made by Topsham and Harpswell, respectively, those 2 towns shall be vested with all rights stated in said original contracts as accruing to them respectively upon such full payment. Those rights may, however, be modified by the contracts authorized by this act. The payments referred to in this section are in addition to tuition. The original contracts referred to in this section were authorized by the private and special laws of 1949, chapter 102, and amendments thereto.

Sec. 6. P. & S. L., 1949, c. 102, repealed. Chapter 102 of the private and special laws of 1949, as amended by chapter 74 of the private and special laws of 1951, is repealed.

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

Effective March 17, 1961

Chapter 84

AN ACT to Incorporate the Town of Etna School District.

Emergency preamble. Whereas, the accommodations for the schools in the Town of Etna are inadequate to accommodate the pupils therein; and

Whereas, there are at present scattered buildings used for school purposes resulting in inefficiency in administration with corresponding waste of money; and

Whereas, said buildings are in very bad condition and cannot be repaired at any reasonable cost commensurate with the results obtainable; and

Whereas, over-crowded conditions make it impossible to properly instruct the students in said schools and to maintain proper health and sanitary conditions therein whereby the health, welfare, peace and safety of students is jeopardized; and