

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

## One Hundred and First Legislature

OF THE

# STATE OF MAINE

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The Knowlton and McLeary Company  
Farmington, Maine  
1963

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PUBLIC LAWS  
OF THE  
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with respect to separate voting districts in towns are made applicable to said voting place at Connor as though the same were located within the territorial limits of Caswell Plantation, and the powers and duties of municipal officers in such case are conferred upon the municipal officers of Caswell Plantation.'

**Sec. 2.** R. S., c. 16, § 104, amended. Section 104 of chapter 16 of the Revised Statutes, as amended by chapter 20 and by section 18 of chapter 417, both of the public laws of 1961, is further amended by inserting after the 3rd paragraph, a new paragraph, as follows:

'Poll taxes collected by the State Tax Assessor from the residents of Connor in the year in which the biennial state election is held shall be paid by the State to Caswell Plantation.'

Effective September 21, 1963

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## Chapter 408

### AN ACT Relating to the Educational Foundation Program Allowances.

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

**Sec. 1.** R. S., c. 41, § 237-C, amended. Section 237-C of chapter 41 of the Revised Statutes, as enacted by section 1 of chapter 364 and repealed and replaced by section 1 of chapter 443, both of the public laws of 1957, and as amended by section 14 of chapter 366 of the public laws of 1961, is further amended to read as follows:

'**Sec. 237-C. The foundation program, defined.** To help equalize educational opportunity and guarantee a minimum program of education for all children throughout the State there is established a foundation program or level of education, expressed in terms of a minimum dollar cost per pupil, in which the State will participate financially on a percentage basis rendering greater financial assistance to the less able administrative units.

Criteria for the foundation program shall be:

**I. Scope.** The scope of the school program shall include pre-primary or kindergarten education for 5-year old children and all grades through grade 12;

**II. Cost.** The cost of the foundation program shall include expenditures for teachers' salaries and board, conveyance of pupils, school bus purchases, fuel,

janitors' services, tuition, board of pupils, textbooks, reference books, school supplies for desk or laboratory use, public utility services, flags, replacement of instructional equipment, fire insurance, compensation for superintendent and his assistants, school committee, community school committee or school directors, office, attendance officers and medical inspection;

Expenditures made for the purposes listed in this subsection, as reduced by ~~tuition collections and other~~ school maintenance incidental receipts, **not including tuition**, as prescribed in section 237-D, shall constitute the net operating cost for the purposes of section 237-E;

**III. Employ and pay teachers.** School administrative units shall:

**A.** Pay teachers in accordance with the minimum salary law;

**B.** Employ at least one teacher for each 30 elementary school pupils in average daily membership except in the pre-primary or kindergarten where the ratio shall not exceed one teacher to 60 pupils and at least one teacher for each 25 high school pupils.

The term "average daily membership" as used in this chapter shall represent the sum of the days present and absent of all pupils in the schools under consideration divided by the number of days school is maintained.'

**Sec. 2. R. S., c. 41, § 237-D, amended.** Section 237-D of chapter 41 of the Revised Statutes, as enacted by section 1 of chapter 364 of the public laws of 1957 and as last amended by section 1 of chapter 389 of the public laws of 1961, is further amended as follows:

**'Sec. 237-D. Foundation program allowance.** The foundation program allowance for each administrative unit, except community school districts which do not offer educational programs for both grades and high school pupils, shall be determined as follows:

The average of the 2 preceding years' **resident** average daily membership of the pupils attending school in the unit shall be multiplied by the applicable dollar allowance in Table I below. To this amount shall be added the average of the unit's 2 preceding years' expenditure for tuition, pupil transportation and board. The total of these items will be the total foundation program. From this total foundation program shall be subtracted the average of the 2 preceding years' ~~tuition collections and other~~ school maintenance incidental receipts, **not including tuition receipts**. The net cost thus obtained represents the net foundation program allowance on which state subsidy shall be computed biennially in accordance with ~~sections 237-E and Table II~~ **this section**.

**Resident average daily membership**, as used in this section, shall represent the sum of the days present and absent of all resident pupils in the schools under consideration divided by the number of days school is maintained.

TABLE I

| Size of School<br>Administrative<br>Unit Based on<br>Average Daily<br>Membership | Necessary<br>Elementary Schools<br>Grades Sub-primary to 8 |  | Necessary<br>Secondary Schools |  |
|--|--|--|--------------------------------|--|
|  | 1 - 25   | \$3,000 + \$120 per pupil (1)            | \$6,500 + \$175 per pupil (2)  |  |
| 1 - 25   | \$3,000 + \$140 per pupil (1)                              | \$9,000 + \$300 per pupil (1)            |                                |  |
| 26 - 50  | <del>\$235</del> \$250 per pupil (1)                       | <del>\$390</del> \$470 per pupil (2) (1) |                                |  |
| 51 - 100   | <del>\$230</del> \$240 per pupil (1)                       | <del>\$385</del> \$465 per pupil (2) (1) |                                |  |
| 101 - 200  | <del>\$220</del> \$235 per pupil (1)                       | <del>\$375</del> \$435 per pupil (2) (1) |                                |  |
| 201 - 300  | <del>\$215</del> \$230 per pupil                           | <del>\$370</del> \$430 per pupil (2) (1) |                                |  |
| 301 - 500  | <del>\$215</del> \$230 per pupil                           | <del>\$355</del> \$390 per pupil         |                                |  |
| 501 - 800  | <del>\$210</del> \$225 per pupil                           | <del>\$340</del> \$380 per pupil         |                                |  |
| 801 and over   | <del>\$210</del> \$225 per pupil                           | <del>\$310</del> \$350 per pupil         |                                |  |

(1) Elementary footnotes shall apply to these units which operate schools. Compute all administrative units, except school administrative districts, at \$170 per pupil if within 10 miles of a school operated in a neighboring administrative unit by the nearest suitable highway.

(2) (1) Secondary school footnotes shall apply to those units which operate schools. If within 15 miles of a school operated in a neighboring administrative unit by the nearest suitable highway, compute all administrative units except school administrative districts as follows:

At ~~\$255~~ \$280 per pupil if 100 or fewer average daily membership.

At ~~\$275~~ \$300 per pupil if 101 to 200 average daily membership.

At ~~\$290~~ \$320 per pupil if 201 to 300 average daily membership.

It is the intent of the Legislature that Table I of this section should be revised each biennium to the end that amendments may be enacted consistent with the changes in the educational expenditures of the towns. On or before October 1st of each year prior to the convening of the Legislature, it shall be the duty of the commissioner to make recommendations to the Governor for such revision which may be used as the basis for budget needs and recommendation for state school subsidies for appropriation by the subsequent session of the Legislature.

Sec. 3. R. S., c. 41, § 237-E, amended. The 5th paragraph from the end of section 237-E of chapter 41 of the Revised Statutes, as last amended by section 19 of chapter 353 of the public laws of 1959, is further amended to read as follows:

'Any administrative unit ~~except those to which footnotes 1 or 2 of Table I, section 237-D, are applicable~~ in which the average net operating cost in any biennium exceeds the amount of the average net foundation program allowance shall be entitled to an additional subsidy allocation on that part of its average

net operating cost which exceeds its net foundation program allowance, computed by multiplying the amount that the average net operating cost exceeds its net foundation program allowance by 10% of the percentage to which said administrative unit is entitled to receive in Table II.'

**Sec. 4. Effective date.** This act shall become effective on January 1, 1964.

Effective January 1, 1964

## Chapter 409

### AN ACT Relating to Salaries of County Officials and Municipal Court Judges and Recorders.

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

**Sec. 1.** R. S., c. 89, § 254, repealed and replaced. Section 254 of chapter 89 of the Revised Statutes, as repealed and replaced by section 7 of chapter 372 of the public laws of 1959, and as amended, is repealed and the following enacted in place thereof:

'Sec. 254. Salaries of county officers. The county commissioners, clerks of the judicial courts and their deputies, county treasurers and their deputies, sheriffs, registers of deeds, judges of probate, registers of probate, and judges and recorders of the municipal courts in the several counties shall receive annual salaries from the county treasury in weekly or monthly payments as follows, except that the county attorneys and their assistants shall receive annual salaries from the State Treasury in monthly payments on the last day of each month, as follows, and no other fees, costs or emoluments shall be allowed them:

Androscoggin County: County commissioners, \$2,000; chairman, \$2,600; clerk of courts, \$5,800; county attorney, \$5,000; assistant county attorney, \$3,500; county treasurer, \$4,300; sheriff, \$5,500; register of deeds, \$5,800; judge of probate, \$5,000; register of probate, \$4,800; Auburn municipal court judge, \$3,600; associate judge, \$4,000; Lewiston municipal court judge, \$4,000; recorder, \$3,800; Lisbon municipal court judge, \$1,800; Livermore Falls municipal court judge, \$2,000.

Aroostook County: County commissioners, \$1,250, except that one member of the board, designated by the board as chief administrative officer, shall receive \$5,000; clerk of courts, \$5,500; county attorney, \$4,500; assistant county attorney, \$3,500; county treasurer, \$3,000; sheriff, \$5,500; register of deeds, northern district, \$4,000; southern district, \$4,500; judge of probate, \$4,000; register of probate, \$4,000; Caribou municipal court judge, \$4,000; recorder, \$2,000; Fort Fairfield municipal court judge, \$3,300; recorder, \$1,250; Houlton municipal court judge, \$4,000; recorder, \$2,000; Madawaska municipal court judge, \$3,300; recorder, \$1,250; Presque Isle municipal court judge, \$4,000; recorder, \$2,000; Van Buren municipal court judge, \$3,300; recorder, \$1,250; Northern Aroostook municipal court judge, \$3,300; recorder, \$1,250.