

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 743

H. P. 526

House of Representatives, January 29, 1963

Referred to Committee on Education. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Berry of Cape Elizabeth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

AN ACT to Create a School Administrative District in the Town of Cape Elizabeth.

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

School Administrative District for Cape Elizabeth authorized. The residents of and the territory within the Town of Cape Elizabeth are created a School Administrative District, subject to and governed by all the provisions of the Revised Statutes of 1954, chapter 41, relating to School Administrative Districts. The district shall assume all outstanding indebtedness for school construction, of the purchase of personal property used for school purposes in the municipality for which the Town of Cape Elizabeth is liable at the time of the vote. Said district shall be managed pursuant to the Revised Statutes of 1954, chapter 41, by a board of school directors consisting of 5 persons to be elected by the residents of the district at a meeting for that purpose. The board of school directors shall be elected, subject to the acceptance of this act, by a plurality vote of the legal voters of the district, voting on one for a one-year term, 2 for 2-year terms and 2 for 3-year terms. At the expiration of each term the vacancy or vacancies shall be filled for 3-year terms.

This act shall not take effect unless accepted and approved by a majority vote of those voting on the following article at a legally called town meeting: "Shall the Act to incorporate the Town of Cape Elizabeth as a School Administrative District be accepted?"

The clerk of the Town of Cape Elizabeth shall make a return to the Maine School District Commission, showing the number of total votes cast for and against the article submitted. If the Maine School District Commission finds that a majority of the residents of the Town of Cape Elizabeth voting on the

article submitted have voted in the affirmative, the commission shall make a finding to that effect and record the same in its records. The commission shall further assign a number and issue a certificate of organization to the district, which shall be the official title of the School Administrative District. The certificate of organization shall be delivered by the Maine School District Commission to the district directors on the date set for the first meeting of the board of school directors. The district shall, within 90 days from the date of filing the returns with the Maine School District Commission, call a meeting to elect the board of school directors and the clerk shall forward the names of the directors elected and their respective terms of office. Upon receipt of the names of the directors, the Maine School District Commission shall set a date for the first meeting of the board of school directors. On the date so set, the School Administrative District shall become operative and the directors shall assume the management and control of the operation of all the public schools within said district and after such date the Town of Cape Elizabeth shall have no responsibility for the control or operation of the public schools within its jurisdiction.

STATEMENT OF FACTS

Various committees from this municipality have conducted thorough studies of school conditions in said Cape Elizabeth since 1957 and find there is a vital need to provide more equalized educational opportunity for pupils, and to achieve a greater uniformity of school tax rates and a more effective use of the public funds expended for the support of public schools. Our geographical location on a peninsula makes the formation of a School Administrative District by consolidation not geographically or educationally practical. The Maine School District Commission may not be able to approve the Town of Cape Elizabeth as a School Administrative District under the criteria set forth in the Revised Statutes of 1954, chapter 41, section 111-E.