

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

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**Legislative Document**

**No. 1029**

S. P. 396

In Senate, February 22, 1967

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

JERROLD B. SPEARS, Secretary

Presented by Senator Snow of Cumberland.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-SEVEN

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**AN ACT to Permit School Administrative Districts to Join Together.**

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**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and

Whereas, there are School Administrative Districts desirous of joining together; and

Whereas, existing statutes do not permit School Administrative District mergers; and

Whereas, educational opportunities for boys and girls could be improved by such a merger; and

Whereas, enactment of this legislation is vital to the further improvement of public school education; 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. R. S., T. 20, § 214, amended.** The 2nd paragraph of section 214 of Title 20 of the Revised Statutes is amended to read as follows:

The contract offer shall be reduced to writing and signed by the school board or superintending school committee or someone acting under their authority

and shall include but not be limited to the following: It shall contain a provision that the offer may not be revoked for 9 months from the date thereof; a provision spelling out the formula or terms or conditions by which tuition shall be computed but that the tuition to be paid shall not exceed the legal tuition charge provided in this Title; a provision that the contract offer when accepted shall run for a period of from 5 to 20 years and that the contract ~~upon its acceptance cannot be changed, altered or amended, or mutually rescinded except as permitted by special Act of the Legislature may, at any time, be changed by mutual agreement.~~

**Sec. 2. R. S., T. 20, § 222, amended.** The 3rd paragraph of section 222 of Title 20 of the Revised Statutes is amended to read as follows:

The town clerk of the municipality desiring admission shall send a certified copy of the results of the vote to the secretary of the School Administrative District. If the board of directors finds that the vote was in the affirmative the directors shall call a district meeting **within 45 days** in accordance with section 225 to vote upon the following article:

**Sec. 3. R. S., T. 20, § 222, amended.** Section 222 of Title 20 of the Revised Statutes is amended by inserting after the 5th paragraph, the following paragraphs:

Whenever one School Administrative District wishes to join with another School Administrative District the following procedure shall be used: The board of school directors of each district wishing to merge shall file an application with the State Board of Education on a form to be prepared by the board. The board shall receive the applications, make a study of the necessity for joining the districts together and recommend an agreement by which the districts may join together. This agreement shall be forwarded to the secretary of each School Administrative District. Within 45 days after receipt of said agreement the board of directors in each district shall call a district meeting in accordance with section 225 to vote upon the following article:

Article : To see if District No. .... will vote to join District No. .... in a merger to form a larger district under the terms and conditions as set out by the State Board of Education in the agreement prepared by the board dated .....

Yes ....	No ....
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The secretary of each School Administrative District shall file a return with the State Board of Education immediately following the votes in the School Administrative Districts on the question of merger. If the board finds that a majority of the voters voting on the question in each district has voted in favor of the merger, the board shall make a finding to the effect and record the same upon its records. The board shall, after making its findings, issue a new certificate for the enlarged School Administrative District and shall number the same, which certificate shall be filed in the same manner as the original certificates of the merged School Administrative Districts. The issuance of such certificate by the board shall be conclusive evidence of the merger of the School Administrative Districts.

**Sec. 4. R. S., T. 20, § 225, amended.** The first paragraph of section 225 of Title 20 of the Revised Statutes is amended to read as follows:

When it is necessary to hold a district meeting to approve the issuance of bonds or notes for capital outlay purposes, to approve an agreement to add another municipality or municipalities to the School Administrative District, **to approve an agreement to merge with another school administrative district**, or to approve a proposed lease agreement with the Maine School Building Authority, or to authorize the school directors to contract for the schooling of secondary pupils, or to authorize the school directors to dispose of real property, the school directors shall be authorized to call such meeting as follows:

**Sec. 5. R. S., T. 20, § 225, sub-§ 4, ¶ E, additional.** Subsection 4 of section 225 of Title 20 of the Revised Statutes is amended by adding a new paragraph E, to read as follows:

**E. Whenever a School Administrative District votes on the question of merging with another School Administrative District, the secretary shall forthwith file a return with the State Board of Education of the results of the vote on the question of merger.**

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