

MAINE STATE LEGISLATURE

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NEW DRAFT OF: H. P. 217; L. D. 267
(NEW TITLE)

ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 806

H. P. 655 House of Representatives, February 18, 1969
Reported by Mrs. Cummings from Committee on Education. Printed under
Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

**AN ACT Amending the Charter of Boothbay - Boothbay Harbor
Community School District.**

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

Sec. 1. P. & S. L., 1953, c. 156, § 1, amended. The last sentence of section 1 of chapter 156 of the private and special laws of 1953 is amended to read as follows:

For the purpose of this Act, the word "school" is defined to mean grades 9 to 12, inclusive, unless and until the approval for which provision is made in section 18 hereof shall be given, in which event the word "school" shall for the purposes of this Act be defined to mean grades 7 to 12, inclusive, and unless and until the additional approval for which provision is made in section 18-A hereof shall be given, in which event the word "school" shall for the purposes of this Act be defined to mean grades kindergarten to 12, inclusive.

Sec. 2. P. & S. L., 1953, c. 156, § 3, amended. The first and 3rd sentences of section 3 of chapter 156 of the private and special laws of 1953 are amended to read as follows:

To procure funds for such of the purposes of the district stated in section 1 of this Act as consist of the following, namely, the acquisition of real property within the district, the erecting or acquiring of a school building or buildings or additions thereto, the erecting or acquiring of related athletic and recreational facilities, and the original equipping and furnishing of such building or buildings, additions or facilities, but not for any expenses of operation and maintenance, the board of trustees of said district is authorized, by

the vote of not less than a majority of all of the trustees, to borrow money from time to time and to issue bonds in the name and on the full faith and credit of the district; provided, however, that the district shall not incur a total bonded indebtedness at any one time outstanding in excess of ~~\$500,000~~ **12½% of the last equalized valuation of the participating towns.**

Each bond shall be dated at such time, be in such denomination, bear such rate of interest ~~not exceeding 5%~~ per annum payable semi-annually, be in such form, subject to the provisions of this Act, and be sold in such manner, at public or private sale, as shall be determined by a majority vote of all of said trustees.

Sec. 3. P. & S. L., 1953, c. 156, § 9, amended. The first sentence of section 9 of chapter 156 of the private and special laws of 1953, is repealed and the following enacted in place thereof:

The community schools, for which provision is herein made, when established shall be considered the official schools of the participating towns to the extent consistent with action taken pursuant to sections 18 and 18-A and all provisions of general law relating to public education shall, so far as applicable, apply to said schools.

Sec. 4. P. & S. L., 1953, c. 156, § 11, amended. The first sentence of section 11 of chapter 156 of the private and special laws of 1953 is amended to read as follows:

~~The~~ Beginning in the calendar year 1970, the fiscal year of the district shall be the calendar year July 1st through June 30th.

Sec. 5. P. & S. L., 1953, c. 156, § 11, amended. Section 11 of chapter 156 of the private and special laws of 1953 is amended by adding at the end the following:

In order to adjust for the changes from the current practice of the district in using a September 1 - August 31 budget year to a fiscal and budget year beginning July 1st, any items in the capital and operating budgets adopted for the budget year beginning September 1, 1969 which relate to operating or capital expenses for the months of July and August, 1970, shall be transferred to and included in the operating or capital budgets, as the case may be, for the fiscal year beginning July 1, 1970 and any available funds of the district allocable to such items shall be credited against sums otherwise to be raised under sections 14 and 15 to meet the budgeted expenses for the fiscal year beginning July 1, 1970.

Sec. 6. P. & S. L., 1953, c. 156, § 14, amended. The 2nd sentence of section 14 of chapter 156 of the private and special laws of 1953 is amended to read as follows:

No money appropriated ~~or~~ for any items shall be used for any other purpose, but transfers of appropriations within a budget may be made by the trustees in proper cases; provided, however, no such transfer from the item for salaries for school teachers may be made without approval by the committee.

Sec. 7. P. § S. L., 1953, c. 156, § 17-A, additional. Chapter 156 of the private and special laws of 1953 is amended by adding a new section 17-A, to read as follows:

Sec. 17-A. Contracts of teachers. On the date that the community school district assumes jurisdiction over the constituent elementary schools, the contracts between the municipalities within the district and all teachers shall automatically be assigned to the community school district as of the date so set and the community school district shall be responsible for assigning the teacher to his duties and making payments upon said contract.

Sec. 8. P. & S. L., 1953, c. 156, § 18-A, additional. Chapter 156 of the private and special laws of 1953 is amended by adding a new section 18-A, to read as follows:

Sec. 18-A. Authority to expand "school" to include grades kindergarten through grade 6. Whenever a majority of the legal voters of the Towns of Boothbay and Boothbay-Harbor, voting on the question by written ballot at any regular town meeting or at a special meeting thereof called and held for the purpose as hereinafter provided, shall approve the inclusion of grades kindergarten through grade 6 in the community school, the word "school" as defined in section 1 of this Act shall be deemed to include grades kindergarten through grade 6, inclusive. Each such special meeting shall be called, advertised and conducted in the manner set forth in section 19. The question to be submitted by vote by secret ballot shall be substantially as follows: "Shall the Boothbay - Boothbay Harbor Community School include grades kindergarten through grade 6 in addition to grades 7 to 12, inclusive?" The results in said towns shall be declared by municipal officers of each of said towns and returns filed by the respective town clerks with the Secretary of State. In the event a town shall disapprove of such inclusion or its approval be no longer effective, the question may be resubmitted to the voters of such towns, provided, however, that approval of one such town of the inclusion of grades kindergarten through grade 6 in the community school shall become null and void, unless the other such town shall also approve of such inclusion within 24 months.

Referendum; certificate to the Secretary of State. This Act shall take effect 90 days after adjournment of the Legislature, only for the purpose of permitting its submission to the legal voters of the Towns of Boothbay and Boothbay Harbor at any annual or special town meeting called and held for the purpose not later than 6 months after the effective date of this Act. Such special meetings shall be called, advertised and conducted according to the law relating to municipal elections; provided that the registrars of voters shall not be required to prepare, nor the town clerks to post, a new list of voters, and for the purpose of registration of voters said registrars shall be in session 2 hours next preceding such special meeting.

The town clerks shall reduce the subject matter of this Act to the following question: "Shall the Act Amending the Charter of Boothbay - Boothbay Harbor Community School District, passed by the 104th Legislature, be ac-

cepted?" The voters shall indicate by a cross of check mark placed against the words "Yes" or "No" their opinion of the same.

This Act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters voting at said meetings; provided that the total number of votes cast for and against the acceptance of this Act at said meetings equaled or exceeded 20% of the total vote cast for all candidates for Governor in said town at the next preceding gubernatorial election.

The results of the vote shall be declared by the municipal officers of the Towns of Boothbay and Boothbay Harbor and due certificates thereof shall be filed by the town clerks with the Secretary of State.