

# MAINE STATE LEGISLATURE

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(NEW TITLE)  
NEW DRAFT OF: H. P. 510, L. D. 681

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**ONE HUNDRED AND FOURTH LEGISLATURE**

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**Legislative Document**

**No. 1535**

H. P. 1208

House of Representatives, May 21, 1969

Reported by a Majority of the Committee on Education. Printed under  
Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-NINE

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**AN ACT Requiring the State Board of Education to Develop a Master Plan  
for School District Organization to be Submitted to Local Referendum.**

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

**Sec. 1. Master plan.**

Notwithstanding any other provision of the Revised Statutes, Title 20, the state board shall develop a master plan for the organization and reorganization of School Administrative Districts. The master plan shall be submitted to local referendum before July 1, 1971. The board shall develop a master plan under the following guidelines :

Each School Administrative District shall assume all of the school indebtedness that previously existed in the municipalities or School Administrative Districts before reorganization.

Each School Administrative District shall honor all personnel contracts that were executed by the municipalities or School Administrative District before reorganization.

The board shall hold one or more public hearings in each of the 16 counties on a tentative master plan. The municipal officers and elected school officials of each municipality shall be notified by certified mail of the time and place of the appropriate public hearing at least 20 days in advance of said hearing. The municipal officers shall post notices of the hearing in the same manner as required for municipal elections at least ten days prior to the hearing. The board shall note all exceptions made at the public hearings and, after giving such exceptions full consideration, shall approve a master plan.

The board shall notify the municipal officers and elected school officials of the master plan affecting the municipality by certified mail on or before December 31, 1970.

The municipal officers and school officials of each municipality in each proposed School Administrative District shall meet on or before January 20, 1971, at the direction of the board for the purpose of determining the total number of directors and the number to represent each municipality and to determine a method of sharing costs among the member municipalities in the proposed district under the guidelines set out in the Revised Statutes, Title 20, section 305. Each municipality shall be entitled to representation by 3 municipal officers and 3 school committee members or directors. In the event the school committee or municipal officers have more than 3 members, the selection of 3 shall be made from within the body and by the body. If there are fewer than 3 directors, the municipal officers shall make the additional temporary appointments necessary. No action shall be taken at the meeting unless at the time of the convening thereof there are present at least  $\frac{1}{2}$  of the total number of municipal officers and school committee or directors eligible to attend and vote at said meeting, other than to report to the board that a quorum was not present and request said board to issue a new notice for another meeting in the same manner as set forth in this Act. When, by a majority vote of those voting, a decision has been reached on the number of school directors, the number to represent each municipality, and a method of sharing costs, the minutes of said meeting shall be reduced to writing and attested by the secretary, signed by the chairman, and forwarded to the board.

The board shall determine the date and no other date shall be used upon which the municipalities shall vote on the proposed district and the election of directors. The board shall give written notice by certified mail at least 30 days before the date so set, which notice shall be sent directly to the town or city clerk of each municipality being asked to vote on the proposed district. The town or city clerk shall immediately notify the municipal officers upon receipt of said notice. The municipal officers shall post a warrant in the same manner as required for town meetings at least 25 days prior to a special town meeting or city election, as the case may be.

In the respective warrants, the municipal officers shall direct that the polls shall be opened at 10 o'clock in the forenoon and shall remain open until 7 o'clock in the afternoon for the purpose of voting on district formation, notwithstanding that a municipality has not accepted the provisions of the Revised Statutes, Title 30, sections 2061 to 2064. With respect to the election of directors, the warrants shall direct that the polls shall be opened at 10 o'clock in the forenoon and shall remain open until 7 o'clock in the afternoon, except that if the municipality has not accepted the provisions of the Revised Statutes, Title 30, sections 2061 to 2064, the warrant shall direct that a meeting shall be held at 7:30 in the afternoon for the election of directors. School directors shall be nominated pursuant to the provisions of the Revised Statutes, Title 20, section 302. The following articles shall be used when voting on a School Administrative District as set out in the final master plan:

Article: Shall the residents of ..... vote to join with the municipalities of ..... in the (name them)

formation of a School Administrative District and authorize the board of directors to assess local appropriations annually in accordance with the following method? (Describe) Yes  No

Article: To choose ..... school director(s) to represent the town on the (number)

Board of School Directors of the School Administrative District.

The town and city clerks shall, within 24 hours of determination of the results of the vote in their respective municipalities, certify the total number of votes cast in the affirmative and the total number of votes cast in the negative on the articles to the board.

Upon receipt of the results of the voting from all municipalities, the board shall meet, compute and record the total number of votes cast in the municipalities within the proposed School Administrative District in the affirmative and the total number of votes cast in the negative on the articles submitted. The board shall notify the municipal officers of the municipalities by registered mail of the results of said vote. If the board finds that a majority of the residents voting within each of the municipalities involved voting on the articles in the proposed School Administrative District have voted in the affirmative, they shall notify the municipal officers to that effect and the new district will become effective on a date set by the board.

Transfers of property and assets shall be made in accordance with the provisions of the Revised Statutes, Title 20, chapter 9, and all school indebtedness existing in the administrative units on the effective date of the district shall be assumed by the new School Administrative District.

Municipalities must appropriate for school purposes in 1971 an amount of money which can be no less than the amount appropriated for school purposes in 1970.

The master plan may not remove a municipality from an existing district; it may combine districts that now exist; and may add municipalities to existing districts.

Whenever a city of more than 20,000 population as determined by the latest census is combined with other municipalities in a school administrative district, the annual budget shall be approved by the directors. The assessment shall be made to the municipal officers as provided in the Revised Statutes, Title 20, section 305.

The board shall issue certificates of organization for each new School Administrative District, said certificates to become effective on dates set by the board. The issuance of such certificates by the board shall be conclusive evidence of the lawful organization of the School Administrative Districts.

The School Administrative Districts shall operate under and be guided by the applicable provisions of the Revised Statutes, Title 20.

The board shall report the results of the foregoing actions to the 105th Legislature.