

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

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Legislative Document

No. 139

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H. P. 95

House of Representatives, January 12, 1971

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

BERTHA W. JOHNSON, Clerk

Presented by Mr. Dyar of Strong.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-ONE

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**AN ACT Providing for Voting in School Administrative Districts by  
Residents of Unorganized Territory.**

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

**Sec. 1.** R. S., T. 20, § 225, sub-§ 2, ¶ F-1, additional. Subsection 2 of section 225 of Title 20 of the Revised Statutes, as amended by section 2 of chapter 295 of the public laws of 1967, is further amended by adding a new paragraph F-1, to read as follows :

**F-1.** Notwithstanding any other provision of law, residents in the unorganized territory whose children attend a school in an administrative district may attend and vote at a district meeting.

**Sec. 2.** R. S., T. 20, § 226, sub-§ 4, ¶ A-1, additional. Subsection 4 of section 226 of Title 20 of the Revised Statutes is amended by adding a new paragraph A-1, to read as follows :

**A-1.** Notwithstanding any other provision of law, residents in the unorganized territory whose children attend a school in an administrative district may attend and vote at a district budget meeting.

**Sec. 3.** R. S., T. 20, § 302, amended. Section 302 of Title 20 of the Revised Statutes, as amended, is further amended by adding after the first sentence the following new sentence :

Notwithstanding any other provision of law, residents in the unorganized territory whose children attend a school in an administrative district may vote in the nearest municipality for school directors to be elected by such municipality.

STATEMENT OF FACT

The residents of unorganized towns have no elected officials responsible for their children's education. Their children have a "right" to attend the School Administrative District without permission. Their tax money goes into the School Administrative District, but without any corresponding representation. They are completely disenfranchised from the district despite a direct and primary interest in it, which is equal or superior to the district voters. Case law has found similar situations to be a violation of the Equal Protection Clause of the Constitution.