

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
107TH LEGISLATURE

(Filing No. H-653)

HOUSE AMENDMENT " A " to H.P. 1278, L.D. 1811, Bill,  
"AN ACT Relating to the Regional Technical Vocational Centers  
and the Vocational Education Regions."

Amend said Bill in section 10 in that part designated  
"§2356-G." by striking out all of subsection 3 and inserting  
in place thereof the following:

'3. Organizational meeting; cooperative boards.

A. The vocational regions shall be administered by a cooperative board as set forth herein. The details of establishing the cooperative board, the size of the cooperative board, the determination of whether the members of the board shall be appointed or elected and the method of sharing costs shall be determined by a majority vote at an organizational meeting called for that purpose by the Commissioner of Educational and Cultural Services. The organizational meeting shall consist of 3 members from each of the school committees of the various administrative units, the directors of the School Administrative Districts within the region and the municipal officers from each participating municipality. Decisions reached on the method of sharing costs and the establishment of the board may be appealed to the State Board of Education by any administrative unit or municipality in the region, if the school committee, board of directors or municipal

officers of that unit or municipality believe that said decisions are unfair to the local administrative unit or municipality. The State Board of Education shall make a determination on the disposition of the appeal. The board's decision shall be final and binding upon the administrative unit within the vocational region.

The members of the cooperative board shall serve for a term of 2 years and shall either be appointed by the members present at the organizational meeting or shall be elected at large by the legal voters within the vocational region voting by ballot at an election held for that purpose and concurrent with the regular election in November. The board shall consist of at least 9 but not more than 17 members.

(1) If the organizational meeting determines that the cooperative board shall be appointed, the organizational meeting shall be held annually in November to appoint members to the cooperative board to fill vacancies on the cooperative board created by the expiration of the terms of appointed members.

(2) If the organizational meeting decides that the cooperative board shall be elected, each such election shall be called by the cooperative board by a warrant drawn for that purpose and signed by a majority of the cooperative board members.

(3) The secretary of the cooperative board shall make nomination papers available to the municipal

clerks of the municipality within the vocational region at least 60 days before the date of the election for which the warrant is drawn. The nomination papers shall specify the place and the person to whom they are to be returned. Nominations for membership shall be made by nomination papers signed by at least 1% of the election voters in a vocational region of 25,000 or less and at least 250 eligible voters in regions of 25,000 or more.

Nomination papers shall be filed with the cooperative board on or before the 21st day next prior to the date of election and shall specify the name of the candidate and the office for which he is nominated. Each voter who signs a nomination paper shall add his place of residence with street number, if any, and may subscribe only to as many nomination papers for each office as there are vacancies to be filled. When filed, they shall be made available by the cooperative board to public inspection under proper protective regulations and shall be kept for 6 months.

(4) It shall be the responsibility of the secretary of the cooperative board to prepare the warrants for the municipal elections, the warrants to be countersigned by the municipal officers of each municipality where the warrants are posted. The warrant shall specify that the municipal officers shall call an election for their municipality as specified. It

shall be directed to any resident of the vocational region by name ordering him to notify the municipal officers of each of the municipalities within the vocational region to call a municipal election on the date specified and no other date shall be used. Service of the warrant issued by the cooperative board shall be made upon the town or city clerk of each of the municipalities within the vocational region by delivering an attested copy of the warrant in hand within 3 days of the date of the warrant and the person who served the warrant shall make a return on the warrant stating the manner of service and the time when it was given.

The town or city clerk so served shall immediately notify the municipal officers within his municipality of this fact and the municipal officers shall forthwith meet, countersign and have posted the warrants prepared by the cooperative board to call town meetings or city elections and the warrants and other notices for said meetings shall be in the same manner as provided in Title 21.

The voting at meetings held in towns shall be held and conducted in accordance with Title 30, sections 2061 to 2065, even though the town has not accepted

the provisions of sections 2061 and 2062. The absentee voting procedure outlined in Title 21 shall be used, except the duties of the Secretary of State shall be performed by the

secretary of the cooperative board. It shall further be the duty of the secretary of the cooperative board to prepare and furnish the required number of ballots for carrying out the election, including absentee ballots in accordance with Title 30, section 2061, subsection 5.

B. An appointed or elected member of a cooperative board shall be sworn into the duties of his office by a notary or a justice of the peace immediately after that person's appointment or election.

C. The cooperative board members shall meet upon the call of the superintendents of schools in that region and shall organize by electing a chairman, a vice-chairman, a secretary and adopting a constitution or bylaws, or both, for the calling of and conducting of cooperative board meetings. The cooperative board shall select a treasurer who shall give a bond to the board in such sum and with such sureties as the board may determine, which bond shall be deposited with the chairman. Neither the secretary nor the treasurer need be a member of the cooperative board. The expense of such bond shall be paid by the cooperative board.

D. The secretary of the cooperative board shall forthwith

file a return with the State Board of Education setting forth the names of the officers of the cooperative board of the vocational region and certifying that the cooperative board has been properly organized. The State Board of Education is authorized to issue a certificate of organization or reorganization for each of the vocational regions so organized and the issuance of such a certificate shall be conclusive evidence of the lawful organization of the vocational region. The original certificate so issued shall be kept on file in the office of the commissioner. Each vocational region is declared to be a quasi-municipal corporation within the meaning of Title 30, section 5053, and all the provisions of said section shall be applicable thereto.

E. Vocational regions, as designated by the Legislature, may vote on articles submitted by the cooperative board using the procedures set forth in section 225.'

Further amend said Bill by inserting at the end before the Statement of Fact the following:

'Sec. 11. Transition.

1. Call of organizational meetings. The Commissioner of Educational and Cultural Services shall call an organizational meeting of the cooperative board of each vocational region within 180 days after the effective date of this Act.

2. Initial appointment of members to a cooperative board whose members are chosen by appointment. Each vocational region cooperative board which exists on the effective date of this Act shall, if the organizational meeting of the cooperative board determines that the membership of that cooperative board

shall be appointed, appoint the initial members of that cooperative board to terms beginning in November, 1975. One-half of <sup>the</sup> members of each cooperative board whose members are appointed shall be initially appointed to serve terms of one year, and one-half of those members shall be initially appointed to serve terms of 2 years. All members appointed after the initial appointment shall serve terms of 2 years.

3. Warrants for election of members. Each vocational region cooperative board which exists on the effective date of this Act shall, if the organizational meeting of that cooperative board determines that the membership of that cooperative board shall be elected, prepare warrants for the initial election of members of that cooperative board in accordance with Title 20, section 2356-G, subsection 3, paragraph A, subparagraph (3). This election shall be concurrent with the general election to be held in November, 1976. One-half of the members of each cooperative board whose members are elected shall be initially elected to serve terms of one year and <sup>one-</sup>half of those members shall be initially elected to terms of 2 years. All members elected after the initial election shall serve terms of 2 years.'

Statement of Fact

This amendment provides an optional method of selecting the cooperative board by a large election within the vocational regional and also clarifies the procedures for organizing cooperative boards of vocational regions.

led by Mrs. Kelley of Machias.

Reproduced and distributed under the direction of the Clerk of the House.

6/5/75

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