

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-1189)
107TH LEGISLATURE
FIRST SPECIAL SESSION

HOUSE AMENDMENT "C" to S.P. 651, L.D. 2056, "AN ACT to Clarify Certain Provisions in the Education Laws."

Amend said Bill by inserting after section 5 the following:

'Sec. 5-B. 20 MRSA, §225, sub-§2, ¶A, last sentence, as enacted by PL 1973, c. 571, §20-A, is repealed.

Sec. 5-C. 20 MRSA, §225, sub-§2, ¶A, as last repealed and replaced by PL 1971, c. 196, §1, and as last amended by PL 1973, c. 571, §20-A, is further amended by adding at the end a new paragraph to read:

When requested by 10% of the voters voting for the gubernatorial candidates at the last state-wide election in the municipalities comprising the district, the directors shall call a district meeting, placing before the voters the specific school construction article which has been requested by the petitioners, including a requested school construction article which would have the effect, if approved by the voters, of rescinding or repealing a school construction article previously approved by the voters. No action taken by a district meeting called under the provisions of this paragraph shall rescind , repeal or modify an action taken at a

regular district meeting unless the recorded vote which rescinds, repeals or modifies that action is equal to or greater than the recorded vote of the regular district meeting which approved the action being rescinded, repealed or modified. The moderator of a district meeting called under the provisions of this paragraph shall certify any vote of that meeting which rescinds, repeals or modifies an action of a regular district meeting.'

Statement of Fact

The purpose of this amendment is to clarify the intent and purpose of the original bill and Title 20, section 225, subsection 2, paragraph A. The Attorney General has interpreted section 225, subsection 2, paragraph A, to include requests of petitioners which would repeal or rescind a school construction article previously approved by the voters, whereas a Justice of the Superior Court has interpreted section 225, subsection 2, paragraph A not to include such requests. The amendment also provides that the vote of a petitioned for meeting which rescinds, repeals or modifies any action of a regular district meeting must be equal to or greater than the vote of the regular district meeting which approved the action being rescinded, repealed or modified

Filed by Mr. Faucher of Solon.

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