

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-498)
109TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1081, L.D. 1517, Bill,
"AN ACT Altering the Organization and Governance of Community
School Districts."

Amend the Bill by inserting before the enacting clause
the following:

'Emergency preamble. Whereas, Acts of the Legislature do
not become effective until 90 days after adjournment unless
enacted as emergencies; and

Whereas, some municipalities are presently unable to form
community school districts because of the existing limitations
on cost-sharing methods; and

Whereas, in the absence of the passage of this Act as
emergency legislation, these municipalities will be needlessly
delayed another year; and

Whereas, this delay may disrupt plans for needed school
construction projects; and

Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
safety; now, therefore, '

Further amend the Bill by inserting after section 1 the
following:

'Sec. 2. 20 MRSA §361-A is enacted to read:
§361-A. Cost sharing based on numbers of pupils and the state
valuation

In addition to the cost-sharing methods provided in sections 355

and 361, any community school district organized after June 1, 1979, may share its costs among the member municipalities on the basis of any combination of the methods provided in sections 355 and 361.

Further amend the Bill in section 2 in that part designated "§373." in subsection 1 by striking out all of the first sentence and inserting in its place the following: 'Each member town's representation on the district's school committee, as determined pursuant to section 372, subsection 2, paragraph C, shall be chosen in the following way:'

Further amend the Bill in section 2 in that part designated "§373." subsection 1 by striking out all of paragraph B.

Further amend the Bill in section 2 in that part designated "§373." by striking out all of subsection 2 and inserting in its place the following:

'2. Vacancies caused by death or resignation; declaration of vacancy; attendance as nonvoting member.

A. Vacancies caused by death or resignation shall be filled by the school committee of the town in which the vacancies occur.

B. If any representative on the community school committee is absent from 3 consecutive regular committee meetings, the committee may declare that a vacancy exists and the school committee in the representative's town may choose from among its members another representative to the community school committee. He shall be chosen on the basis of seniority.

C. If a community school committee member is absent from a meeting, the senior nonvoting member shall be allowed all the rights and privileges of the absent member with the exception of the right to vote. This paragraph shall apply only to a community with only one member on the community school committee.'

Further amend the Bill in section 2 in that part designated "§373." in subsection 3 by striking out all of paragraph A and inserting in its place the following:

'A. The committee shall, at its first meeting and annually in April thereafter, choose by ballot from its membership a chairman, a treasurer and a secretary. The committee may authorize the district's superintendent to be the district's treasurer and secretary.'

Further amend the Bill in section 2 in that part designated "§373," subsection 5, by striking out all of paragraph A and inserting in its place the following:

'A. "Full-time employee" for the purposes of this subsection shall mean regular employment on a weekly basis regardless of remuneration or the number of hours worked.'

Further amend the Bill in section 2 in that part designated "§379." by striking out all of subsection 5 and inserting in its place the following:

'5. Voting lists.

A. Registration of voters for the annual budget meeting shall be held in each member municipality in accordance with the time schedule specified in Title 21, section 631.'

B. Prior to the annual budget meeting, the town clerks of

the member municipalities shall supply to the school committee a current list of the registered voters of the member municipalities. The lists shall be used in determining the voters who are eligible to vote at the annual budget meeting of the community school district.'

Further amend the Bill in section 2 in that part designated "§379." in subsection 6 by striking out all of the first sentence and inserting in its place the following:

'The chairman of the school committee, or in his absence the secretary of the school committee, shall open the meeting and shall call for the election of a moderator.'

Further amend the Bill by striking out all of section 4.

Further amend the Bill by renumbering sections 2 and 3 to be sections 3 and 4.

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

'Emergency clause. This Act shall become effective on July 1, 1980, with the exception of section 2, which shall become effective when approved.'

Statement of Fact

The purposes of this amendment are to:

1. Authorize cost sharing on the basis of a combination of the number of pupils and the state valuation of the member towns and make this one provision of the bill effective when the bill is approved;

2. Include the provisions of PL 1979, chapter 99, relating to the declaration and filling of a vacancy after a community school committee member has missed 3 consecutive regular meetings;

3. Provide for the election of a secretary of the community school committee;
4. Clarify the definition of a full-time employee;
5. Provide for the use of the election procedures in Title 21 at the annual budget meeting; and
6. Provide that the secretary act in the absence of the chairman of the school committee at the annual budget meeting.

Reported by the Committee on Education
Reproduced and distributed under the direction of the
Clerk of the House.
5/23/79 (Filing No. H-498)