

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 280

S.P. 107

In Senate, February 9, 1987

Reference to the Committee on Education suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate
Presented by Senator ESTES of York.

Cosponsored by Representative MATTHEWS of Caribou,
Representative SOUCY of Kittery.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT Relating to the Organization of School
2 Administrative Districts.
3

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

6 Sec. 1. 20-A MRSA §1201, sub-§1, as enacted by
7 PL 1981, c. 693, §§5, 8, is amended to read:

8 1. Number of municipalities. The district shall
9 have 2 one or more member municipalities.

10 Sec. 2. 20-A MRSA §1202-A is enacted to read:

11 §1202-A. Formation of district within a single mu-
12 nicipality

1 The residents of a single municipality may form a
2 school administrative district which shall be a body
3 politic and corporate by completing the following
4 steps.

5 1. Application vote. At a duly called special
6 or regular meeting or city election, the voters of a
7 municipality may instruct its school board to file an
8 application with the state board. The article to be
9 inserted in the warrant for the meeting shall be in
10 substantially the following form:

11 "To see if the municipality will vote to instruct
12 its school board to file application with the
13 State Board of Education for the purpose of form-
14 ing a single municipality school administrative
15 district."

16 2. Initial application. If the article is ap-
17 proved, the school board shall file an initial appli-
18 cation with the state board.

19 A. The application shall include whatever infor-
20 mation the state board determines necessary and
21 proper.

22 B. In municipalities which have less than 300,
23 but more than 99 resident pupils, the application
24 shall state in detail the educational, economic
25 and geographic reasons for the formation of the
26 proposed school administrative district.

27 C. An application shall be filed on a form pre-
28 pared by the state board.

29 3. Calling of a joint meeting. If the state
30 board finds the proposed school administrative dis-
31 trict eligible and approves its initial application,
32 the state board shall notify the municipal officers
33 and the members of the school board in the municipa-
34 lity of a date, time and place of a joint meeting of
35 the municipal officers and the school board members
36 from the municipality.

37 A. The notice shall be in writing and sent by
38 registered or certified mail, return receipt re-
39 quested, to the addresses as shown on the appli-
40 cation.

1 B. The notice shall be mailed at least 10 days
2 before the date set for the meeting.

3 4. Joint meeting. The following provisions gov-
4 ern the joint meeting.

5 A. At least 1/2 of the total number of municipal
6 officers and school committee members eligible to
7 vote at the joint meeting must be present to con-
8 stitute a quorum. If there is no quorum, those
9 present shall report to the state board that a
10 quorum was not present and request the state
11 board to issue a new notice.

12 B. The school board and municipal officers of
13 the municipality shall each caucus and select 3
14 of their members to represent them in the joint
15 meeting. Other members may not vote in the joint
16 meeting.

17 C. Those with voting rights shall, by majority
18 vote:

19 (1) Elect a chairman and a secretary;

20 (2) Determine the total number of school
21 directors to represent the municipality; and

22 (3) Determine the date when the municipali-
23 ty shall vote on the articles of district
24 formation. The date shall be at least 60
25 days from the date on which it is deter-
26 mined.

27 D. The chairman and secretary shall prepare a
28 report identifying the number of directors from
29 the municipality. They shall sign and forward
30 that report to the state board.

31 5. Calling municipal elections. If the state
32 board finds the report of the joint meeting to be in
33 order, the state board shall order the municipal of-
34 ficers of the municipality to call a town meeting or
35 city election on the date established pursuant to
36 subsection 4, paragraph C, subparagraph (3) for the
37 purpose of voting on the questions required by this
38 subchapter relating to the formation of a school ad-
39 ministrative district.

1 A. Municipalities voting on the questions of
2 district formation under Title 30, sections 2061
3 to 2064, shall open the polls at 10 a.m. and
4 shall close the polls at 7 p.m.

5 B. In other municipalities the municipal offi-
6 cers shall direct that the town meeting or city
7 election shall open at 7:30 p.m.

8 C. All school administrative units shall vote
9 upon the questions of school district information
10 in the same fashion as the units conduct other
11 business at regular or special town meetings, ex-
12 cept that school administrative units electing
13 municipal officers by secret ballot may use that
14 method for electing school board directors.

15 6. Articles to be voted on. The articles to be
16 voted on shall be in substantially the following
17 form:

18 A. "Article : To see if the municipality
19 will vote to form a single municipality school
20 administrative district."

21 B. "Article : To see if the municipality
22 will vote to approve the allocation of represen-
23 tation with the district on the board of school
24 directors as recommended by the school committee
25 and municipal officers as follows: The total
26 number of directors shall be ."
27 (number)

28 C. "Article : To choose school direc-
29 tor or directors to represent the municipality,
30 or subdistrict, on the board of school directors
31 of the school administrative district."
32

33 D. If there is outstanding indebtedness for
34 school construction or other school property in
35 the municipality concerned, the following addi-
36 tional article must also be acted on in substan-
37 tially the following form:

38 "Article : To see if the municipality
39 will vote to authorize the district to as-

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

sume full responsibility for amortizing the following listed indebtedness now outstanding in the school administrative units planning to form the school administrative district."

The list must include the name of the obligated school administrative unit, type of obligation, amount unpaid, interest rate and the payment schedule for all outstanding school indebtedness of the school administrative unit comprising the school administrative district under consideration.

E. If the proposed school administrative district plans to contract with a designated private school for the education of its students in grades 9 to 12, voters shall act on the following article in substantially the following form:

"Article : To see if the municipality will vote to form a single municipality school administrative district, which district is authorized and directed to accept the contract offer of for the schooling of pupils in grades 9 to 12."

7. Majority vote. Approval of each article shall be by a majority vote of those voting in each municipality on each article.

1

STATEMENT OF FACT

2 A significant number of cities and towns in this
3 State are large enough to support their own schools
4 and have chosen not to join with other towns in
5 school administrative districts. This bill gives
6 these cities and towns the same opportunity as those
7 who join together to choose the school administrative
8 district form of school governance. This bill does
9 not require any town or city to consider a school ad-
10 ministrative district. It does give them the local
11 control to do so if they so desire.

12

1108012787