

MAINE STATE LEGISLATURE

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L.D. 1895

(Filing No. S- 531)

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STATE OF MAINE
SENATE
114TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A " to S.P. 720, L.D. 1895, Bill, "An Act to Expand the Borrowing Power of the Ellsworth School District"

Amend the bill by striking out all of the title and inserting in its place the following:

'An Act to Permit Changes in the Charter of the City of Ellsworth School District'

Further amend the bill by inserting at the beginning of the first line after the enacting clause (page 1, line 3 in L.D.) the following: 'Sec. 1.'

Further amend the bill by inserting before the statement of fact the following:

'Sec. 2. P&SL 1949, c. 9, §7-A is enacted to read:

§7-A. Alternative provisions for termination of the board of trustees

At such time as the City of Ellsworth assumes the obligation to pay all of the principal and interest coming due on indebtedness incurred by the district and all other outstanding obligations of the district, the board of trustees shall automatically cease to function and all of the duties, management, care and maintenance of the property of the district reverts to the school board of the City of Ellsworth or such other board as may at that time have jurisdiction over similar school property, and the then president and treasurer of said district shall cause to be executed, signed and delivered a good and sufficient deed of all the property of the district to the City of Ellsworth. All money, if any remaining in the treasury of the district at the time said trustees cease to function, must be given to the city treasurer of the City of Ellsworth. This money must be used only for school purposes and kept separate from all other money until authorized by the council of the City of Ellsworth to be expended for one or more of the purposes stated in this Act.

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2 The City of Ellsworth may assume all the obligations of the
3 district as aforesaid by vote at an annual or special city
4 election called, advertised and conducted in accordance with the
5 laws relating to municipal elections. The city clerk shall
6 prepare the required ballots, on which the city clerk shall
7 include the following question: "Shall the City of Ellsworth
8 assume the obligation to pay all the indebtedness and other
9 obligations of the City of Ellsworth School District, thereby
10 terminating said district and transferring its property to the
11 city?" Upon the approval of that question by a majority of the
12 legal voters voting at that election, the city council of the
13 City of Ellsworth shall perform and carry out the duties of the
14 trustees of the district, provided for in section 6 and the
15 treasurer of the city shall perform and carry out the duties of
16 the treasurer of the district, as provided for in section 6.

18
19 **Sec. 3. Referendum.** This Act takes effect 90 days after
20 adjournment of the Legislature for the purpose of submission to
21 the legal voters of the City of Ellsworth at the next regular
22 municipal election of the City of Ellsworth, or at a special
23 election called and held for that purpose. This election must be
24 held no later than the next annual municipal election after the
25 effective date of this Act. If a special election is called for
26 that purpose, the special election must be called, advertised and
27 conducted according to the law relating to municipal elections,
28 except that the board of voter registration is not required to
29 prepare for posting, nor is the city clerk required to post, a
30 new list of voters. For the purpose of registration of voters,
31 the board of voter registration must be in session on the last
32 secular day preceding the special election. The voters shall
33 vote on the following questions and the votes shall have the
34 following effects:

36 1. The first question is:

38 "Shall the limit on the bonded indebtedness of the
39 Ellsworth School District be increased to \$5,000,000?"

40
41 Section 1 of this Act takes effect when a majority of the legal
42 voters of the City of Ellsworth voting at the election vote in
43 the affirmative on this question.

44
45 2. The 2nd question is:

46 "Shall the charter of the City of Ellsworth School
47 District be amended to permit the City of Ellsworth to
48 assume the obligations of the City of Ellsworth School
49 District, and to provide for the termination of the
50 City of Ellsworth School District, if voters of the

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2 City of Ellsworth vote for the assumption and
termination?"

4 Section 2 of this Act takes effect when a majority of the legal
6 voters of the City of Ellsworth voting at the election vote in
the affirmative on this question.

8 The result of the votes must be declared by the municipal
10 officers of the City of Ellsworth and certification filed by the
city clerk with the Secretary of State.

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FISCAL NOTE

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16 This bill could result in an increase of General Fund
appropriation to General Purpose Aid to Local Schools beginning
18 in fiscal year 1992-93. If all of the resulting increase in
principal and interest payments are related to minor capital
20 outlays, which are subsidizable as operating costs, the estimated
increase of General Fund appropriations in fiscal year 1992-93
would be approximately \$295,000.'

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24

STATEMENT OF FACT

26 This amendment adds a fiscal note, a 2nd charter amendment
and a referendum clause providing that neither charter change
28 will become effective until approved by a majority of the voters
of the City of Ellsworth voting at a regular or special municipal
30 election.

32

34 The 2nd proposed charter amendment would permit the City of
Ellsworth to assume all the obligations of the City of Ellsworth
School District and to dissolve that district if voters of the
city vote to do so.

Reported by Senator Gill for the Committee on Education.
Reproduced and Distributed Pursuant to Senate Rule 12.
(2/26/90) (Filing No. S-531)