

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1581

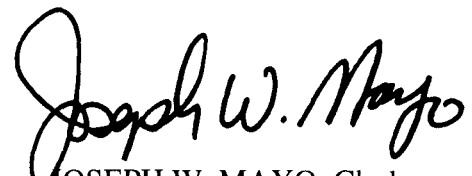
H.P. 1138

House of Representatives, June 23, 1995

**An Act to Amend Certain Effective Date and Referenda Provisions
Regarding the Authorization for a Community School District in the
Towns of Mechanic Falls, Minot and Poland.**

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on Education and Cultural Affairs suggested and ordered
printed.


JOSEPH W. MAYO, Clerk

Presented by Representative UNDERWOOD of Oxford.
Cosponsored by Representatives: AULT of Wayne, CARLETON of Wells, GWADOSKY of
Fairfield, JACQUES of Waterville, JOY of Crystal, LANE of Enfield, LEMAIRE of
Lewiston, LIBBY of Buxton, LUMBRA of Bangor, LUTHER of Mexico, MITCHELL of
Vassalboro, WINN of Glenburn, Senators: BUTLAND of Cumberland, HANLEY of Oxford,
SMALL of Sagadahoc.

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

2 **Sec. 1. P&SL 1995, c. 13, §4, first and 2nd ¶¶** are amended to read:

4 **Sec. 4. Emergency project.** Approval of this Act by the
6 Legislature and the majority of the legal voters voting in the
towns of Mechanic Falls, Minot and Poland authorizes a building
8 project to house the students of the any combination of 2 or 3 of
the towns in grades 7 to 12 as an emergency project. The project
10 authorized by this Act must be given priority status for State
Board of Education approval and immediate approval for funding
12 under chapter 61 of the State Board of Education's Rules for
School Construction Projects.

14 Pursuant to the 2-town or 3-town building project, this Act
16 authorizes inclusion of certain costs not currently covered by
the State Board of Education's Rules for School Construction
18 Projects as an adjustment to the general purpose aid subsidies
paid to the community school district in the first operational
20 year. These costs relate to the purchase of library books at a
rate of 15 volumes per student, basic reference and audio visual
22 materials and software, as well as textbooks, for those grades
not previously educated in the Towns of Mechanic Falls, Minot and
24 Poland.

26 **Sec. 2. P&SL 1995, c. 13, §§5, 6 and 10** are amended to read:

28 **Sec. 5. Initial organization and budget.** Notwithstanding any law
to the contrary, the district is organized upon the issuance of
30 the certificate of organization by the Commissioner of
Education. The school committees of the towns of Mechanic Falls,
32 Minot and Poland, acting as a committee-of-the-whole, are
responsible for preparing and submitting a budget to the voters,
34 as authorized by the Maine Revised Statutes, Title 20-A, section
1701, prior to June 30th for each fiscal year beginning July 1st,
36 for fiscal years ~~1995-96, 1996-97 and, 1997-98~~ and 1998-99. The
school committees of Mechanic Falls, Minot and Poland, acting as
38 a committee-of-the-whole, voting in proportion to population, as
does the existing School Union 29 committee, have the authority
40 to act as the governing body of the district until the election
of the district school committee. The combined district school
42 committees have the authority to submit an application to the
State Board of Education for school construction approval. The
44 members of the district school committee must be elected by the
individual towns no later than July 1, 1997 and take office July
46 1, 1997.

48 **Sec. 6. Transition period and first operational year.** The district
has a transition period beginning July 1, ~~1995~~ 1996.

2 The district school committee is authorized to employ personnel,
3 to make expenditures and to do all other acts of a community
4 school district, except the assumption of the control and
5 operation of grades 7 to 12, during the transition period. The
6 Commissioner of Education shall issue a certificate of
7 organization to the district consistent with the terms of this
8 Act. The community school district may not receive a school
9 subsidy from the Department of Education's general purpose aid to
10 local schools program during the transition period. The
11 transition period ends and the district school committee assumes
12 control and operation of grades 7 to 12 in the district on July
13 1st of the year of the scheduled occupation of new school
14 facilities owned by the district. For purposes of this Act,
15 "occupation" means that the building is being used to provide
16 instruction to all grades 7 to 12 resident pupils of the any
combination of 2 or 3 of the towns.

18 **Sec. 10. Operational cost-sharing formula approval.**

20 **1. Formula approval.** The district shall share its costs
21 among the member municipalities beginning July 1, 1995 1996
22 on the basis of a formula approved by the voters of each of the
23 member municipalities ~~on or before May 3, 1995 at a meeting to be~~
24 held January 31, 1996. The vote must be conducted by secret
25 ballot in accordance with the Maine Revised Statutes, Title 30-A,
26 sections 2528 to 2532. The formula proposal or proposals must be
27 prepared by a cost-sharing committee on which each member
28 municipality is represented by 2 representatives chosen by its
29 municipal officers and one member of each municipality's school
30 committee chosen by the school committee members from that
31 municipality. ~~The proposals for the formula for sharing costs~~
32 ~~must first be approved by the cost sharing committee by a vote of~~
33 ~~a majority of those present and voting. The cost sharing~~
34 ~~committee shall make its first proposal after conducting at least~~
35 ~~3 public meetings on or before April 21, 1995.~~ Each municipality
36 shall may hold a referendum vote and shall pay for the costs of
37 voting. The meeting must be called, advertised and conducted
38 according to the laws relating to municipal elections. The
39 boards of voter registration must be in session on the secular
40 day next preceding the meeting. The town clerks of the towns
41 shall prepare the required ballots on which the town clerks shall
42 reduce the subject matter of this Act to the following question:

44 "Do you approve the formula for sharing costs among the
45 member municipalities of the community school district as
46 proposed by the cost-sharing committee?"

48 The voters shall indicate by a cross or check mark placed against
49 the word "Yes" or "No" their opinion of the same.

50

2 The Act takes effect for all purposes after its acceptance by a
4 majority of the legal voters voting on the questions of the
6 formation of a community school district for the member towns and
8 the cost-sharing formula in each of the member towns, and after
10 the declaration of the State Board of Education.

12 All provisions of the Maine Revised Statutes, Title 20-A, section
14 1704 apply.

16 2. Cost-sharing formula committee. If the voters accept a
18 2-town or 3-town district, the towns that voted to accept the
20 district shall establish a cost-sharing formula committee. Each
22 town shall appoint 2 representatives to serve on the committee.
24 The committee shall meet by January 16, 1996. The cost-sharing
26 formula committee shall report to the towns that voted to accept
28 the district its recommendation for the cost-sharing formula.
30 The formula presented to the towns must be approved by the
32 cost-sharing formula committee by a vote of a majority of those
34 present and voting.

36 **Sec. 3. P&SL 1995, c. 13, §16** is repealed.

38 **Sec. 4. P&SL 1995, c. 13, §17** is amended to read:

40 **Sec. 17. Emergency clause; referendum; effective date.** In view of
42 the emergency cited in the preamble, this Act takes effect when
44 approved only for the purpose of permitting its submission to the
46 legal voters of the towns of Mechanic Falls, Minot and Poland. A
48 ~~meeting must be called and held in each municipality for the~~
50 ~~purpose of voting on May 6, 1995.~~ If a town calls a meeting, the
meeting must be called and held for the purpose of voting on
December 2, 1995. The meeting must be called, advertised and
conducted according to the laws related to municipal elections,
except that any state or local election provision that would
delay the meeting beyond May-6 December 2, 1995 does not apply.
The boards of voter registration must be in session on the
secular day next preceding the meeting. The town clerks of the
towns shall prepare the required ballots on which the town clerks
shall reduce the subject matter of this Act to the following
question:

"Do you favor joining the community school district for
grades 7-12 as provided for in the Act to Authorize the
Towns of Mechanic Falls, Minot and Poland to Form a
Community School District with any combination of at least 2
towns passed by the 117th Legislature?"

The voters shall indicate by a cross or check mark placed
against the word "Yes" or "No" their opinion of the same.

2 This Act takes effect for all purposes after its acceptance
by a majority of the legal voters voting on the question in each
4 of the member towns and the declaration of the Commissioner of
Education.

6

8 STATEMENT OF FACT

10 This bill permits the Town of Minot and the Town of Poland
to vote again to join a 2-town or 3-town community school
district with the Town of Mechanic Falls.