MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1053

S.P. 349

In Senate, February 9, 1999

An Act to Clarify the Laws Relating to Nonstate-funded School Construction Projects Approved by the Commissioner of Education that Replace Existing School Buildings.

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator KONTOS of Cumberland. Cosponsored by Representative TOBIN of Windham and Senators: PENDLETON of Cumberland, SMALL of Sagadahoc, Representatives: BRUNO of Raymond, WATSON of Farmingdale.

	Be it enacted by the People of the State of Maine as follows:
2	Sec. 1. 20-A MRSA §1407, sub-§1, as amended by PL 1983, c.
4	364, §5, is further amended to read:
6	1. Vote; cost of election. An elementary school in a
8	member municipality of a school administrative district may not be closed <u>pursuant to section 4102, subsection 3</u> unless the
10	voters in the member town vote on the following article in accordance with the procedure set forth in sections 1351 to 1354.
L2	"Article : Shall the board of directors of School Administrative District No. be authorized to
14	close ? (name of school)
.6	Yes No "
.8	(The election shall must be conducted only within that
0	member municipality, and the costs of the election shall-be are borne by the district.)
2	Sec. 2. 20-A MRSA §1751, sub-§5, as enacted by PL 1981, c.
4	693, §§5 and 8, is amended to read:
6	5. Closing elementary school. If a community school district includes elementary grades, the closing of an elementary
8	school in a member municipality shall pursuant to section 4102, subsection 3 must follow the procedures established in section
0	1407 for closing an elementary school in a member municipality in a school administrative district.
2	
4	Sec. 3. 20-A MRSA §4102, sub-§1, as enacted by PL 1983, c. 422, §17, is amended to read:
6	1. Replaced by new building. The school building has been
8	replaced by other school buildings as part of a school construction project which that has been approved by the State
U	Beard-ef-Education state board or the commissioner in accordance
0	with chapter 609.
2	CLIMBA A DV
4	SUMMARY
<u> </u>	The purpose of this bill is to clarify that, once the voters
6	of a school administrative unit and the Commissioner of Education have approved a nonstate-funded school construction project that

replaces an existing school building, a separate referendum vote

is not required to close the existing school building.

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