

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)



121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 527

H.P. 412

House of Representatives, February 6, 2003

An Act To Improve the Method of Reapportionment of School Boards

(EMERGENCY)

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative NUTTING of Oakland.
Cosponsored by Senator GAGNON of Kennebec and
Representatives: ANDREWS of York, DAVIS of Falmouth.

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

4 Whereas, this legislation changes the method of achieving
6 necessary reductions in the number of directors of school
administrative districts; and

8 Whereas, it is essential that this improved method be
10 applied as soon as possible

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

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

20 **Sec. 1. 20-A MRSA §1255, sub-§10, ¶B,** as enacted by PL 1981,
c. 693, §§5 and 8, is repealed and the following enacted in its
22 place:

24 B. If the approved plan requires a reduction of the number
of directors to be elected in a municipality, the reduction
26 must be achieved in accordance with this paragraph.

28 (1) If possible, the reduction must be achieved by the
voluntary resignation of one or more of the directors.

30 (2) If the reduction can not be achieved in accordance
32 with subparagraph (1) and the plan is approved and
filed less than 30 days prior to the annual municipal
34 election, the number of open positions to be filled by
the election process must be reduced to the number
36 required by the approved plan.

38 (3) If the reduction can not be achieved in accordance
with subparagraph (1) or (2), or a combination of the
40 2, all of the remaining existing directors representing
the municipality shall choose by lot which directors'
42 terms must terminate.

44 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved.

46

48

SUMMARY

50

Under current law, if a school administrative district

2 requires reapportionment that results in a reduction in the
number of directors, all of the directors choose by lot which
directors' terms terminate.

4

6 This bill allows one or more directors to voluntarily resign
to achieve the necessary reduction and allows the municipality to
reduce the number of open positions prior to election to avoid
8 the necessity of casting lots.