

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1722

H.P. 1205

House of Representatives, March 23, 2007

An Act To Allow the Creation of a School District in Northern Franklin County

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative SAVIELLO of Wilton.

Cosponsored by Representatives: BROWNE of Vassalboro, CARTER of Bethel, CLARK of Millinocket, CLEARY of Houlton, CRAY of Palmyra, GIFFORD of Lincoln, SCHATZ of Blue Hill, Senator: GOOLEY of Franklin.

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

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

4 **1. Number of municipalities.** The district ~~shall~~ must have 2 or more member
5 municipalities and may include a municipality or school administrative district combining
6 with another school administrative district.

7 **Sec. 2. 20-A MRSA §1202, sub-§1**, as enacted by PL 1981, c. 693, §§5 and 8, is
8 amended to read:

9 **1. Application vote.** At a duly called special or regular meeting or city election the
10 voters of a municipality may instruct its school board to file an application with the state
11 board. The article to be inserted in the warrant for the meeting ~~shall~~ must be in the
12 following form:

13 "To see if the municipality will vote to instruct its school board to file an
14 application with the State Board of Education for the purpose of forming
15 a school administrative district with the following towns:

16

17 (naming them)"

18 For a school administrative district that is forming a new school administrative district
19 with another school administrative district or municipality, approval of the article requires
20 a majority vote of those voting in each municipality in the district.

21 **Sec. 3. 20-A MRSA §1202, sub-§2**, as enacted by PL 1981, c. 693, §§5 and 8, is
22 amended to read:

23 **2. Initial application.** If the article is approved, the school board shall file an initial
24 application with the state board.

25 A. The application ~~shall~~ must include a list of the names of the municipalities that
26 propose to form the school administrative district, an adequate study outlining the
27 desirability and the educational feasibility of the proposed district and whatever other
28 information the state board ~~may deem~~ determines necessary and proper.

29 B. ~~In municipalities which have~~ For a municipality or school administrative district
30 that has less than 300, but more than 99 resident pupils, the application ~~shall~~ must
31 state in detail the educational, economic and geographic reasons for the formation of
32 the proposed school administrative district.

33 C. An application ~~shall~~ must be filed on a form prepared by the state board.

34 **Sec. 4. 20-A MRSA §1202, sub-§3**, as enacted by PL 1981, c. 693, §§5 and 8, is
35 amended to read:

36 **3. Calling of a joint meeting.** If the state board finds the proposed school
37 administrative district eligible and approves its initial application, the state board shall

1 notify the municipal officers and the members of the school boards ~~in~~ of the
2 municipalities within the proposed district of a date, time and place of a joint meeting of
3 the municipal officers and the school board members ~~from~~ for each municipality.

4 A. The notice ~~shall~~ must be in writing and sent by registered or certified mail, return
5 receipt requested, to the addresses as shown on the application.

6 B. The notice ~~shall~~ must be mailed at least 10 days prior to the date set for the
7 meeting.

8 **Sec. 5. 20-A MRSA §1202, sub-§4**, as amended by PL 1983, c. 485, §7, is
9 further amended to read:

10 **4. Joint meeting.** The following ~~shall govern~~ governs the joint meeting.

11 A. At least 1/2 of the total number of municipal officers and school committee
12 members eligible to vote at the joint meeting ~~shall~~ must be present to constitute a
13 quorum. If there is no quorum, those present shall report to the state board that a
14 quorum was not present and request the state board to issue a new notice.

15 B. The school boards and municipal officers of each municipality shall each caucus
16 and select 3 of their members to represent ~~their~~ each municipality in the joint
17 meeting. Other members may not vote in the joint meeting.

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

19 (1) Elect a ~~chairman~~ chair and a secretary;

20 (2) Determine the total number of school directors to represent each municipality
21 and the method of apportioning voting power among directors consistent with
22 this section and sections 1251 and 1252;

23 (3) Determine the method of sharing costs under section 1301; and

24 (4) Determine the date when all the municipalities in the proposed district ~~shall~~
25 must vote on the articles of district formation. The date ~~shall~~ must be at least 60
26 days from the date on which it is determined.

27 D. The ~~chairman~~ chair and secretary shall prepare a report describing the number of
28 directors and the representation from each municipality. They shall sign and forward
29 that report to the state board.

30 **Sec. 6. 20-A MRSA §1202, sub-§9** is enacted to read:

31 **9. Special provision for unincorporated townships.** For purposes of this chapter,
32 "municipality" includes an unincorporated township. Upon a petition of 10% or more of
33 the voters in an unincorporated township, the township may hold an election to file an
34 application to the state board under subsection 1. If the article is approved, the
35 application is automatically filed with the state board and the unincorporated township
36 shall hold a special meeting to select one resident of the township to fulfill the role of
37 municipal clerk and 3 residents to represent the township at the joint meeting under
38 subsection 4 and to fulfill the role of municipal officers under this section. The articles to

1 be voted on in subsection 1 and subsection 6 must replace "municipality" with
2 "township."

3

SUMMARY

4 This bill allows a school administrative unit that is a municipality or school
5 administrative district to combine with another school administrative district to create a
6 larger school administrative district. This bill also allows unincorporated townships to
7 join or create school administrative districts upon petition by 10% or more of the voters
8 of the township and upon election within the township. At a special meeting, the
9 township selects representatives to act as municipal officers and the municipal clerk.