

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2008

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Legislative Document

No. 2299

H.P. 1658

House of Representatives, April 4, 2008

**An Act To Make Technical Corrections in the Laws Regarding  
Funding Adult Education Programs and the Closure of an  
Elementary School in a School District**

(EMERGENCY)

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Reported by Representative NORTON of Bangor for the Joint Standing Committee on Education and Cultural Affairs pursuant to Public Law 2007, chapter 240, Part XXXX, section 47.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

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

3       **Whereas,** certain inconsistencies have been identified in the school district  
4 reorganization law, Public Law 2007, chapter 240, Part XXXX, that may adversely affect  
5 the ability of school administrative units to raise and appropriate funds for adult  
6 education programs; and

7       **Whereas,** certain inconsistencies have been also identified in the school district  
8 reorganization law, Public Law 2007, chapter 240, Part XXXX, that may adversely affect  
9 the authority of member municipalities in school administrative districts and community  
10 school districts to close an elementary school; and

11       **Whereas,** the provisions of this Act must take effect immediately to allow school  
12 administrative units to raise and appropriate funds for adult education programs and to  
13 restore the authority of member municipalities in school administrative districts and  
14 community school districts to close an elementary school; and

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

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

20       **Sec. 1. 20-A MRSA §4102, sub-§4, ¶A,** as enacted by PL 1983, c. 422, §17, is  
21 amended to read:

22       A. Elementary schools in school administrative districts and community school  
23 districts may only be closed if approved by the voters in accordance with the  
24 procedures set out in section 1407 and section 1751, subsection 5 1512 for regional  
25 school units.

26       **Sec. 2. 20-A MRSA §8603-A,** as enacted by PL 2007, c. 131, §3, is amended to  
27 read:

28       **§8603-A. Warrant to raise, appropriate, receive and expend money**

29       **1. Warrant language.** In order to fund adult education and educational activities  
30 and tuition costs under section 8603, a school administrative unit must use the following  
31 warrant language at a duly called special or regular meeting or city election:

32 "Article .....: To see if (the school administrative unit) will appropriate \$..... for  
33 adult education and raise \$..... as the local share; with authorization to expend any  
34 additional, incidental; or miscellaneous receipts in the interest and for the well-being of  
35 the adult education program."

36       **2. Approval.** Approval of the warrant must be by majority vote of those voting ~~and,~~  
37 ~~if in more than one municipality, by a majority of those voting in each municipality in the~~  
38 school administrative unit's legislative body budget meeting or election.

