

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 1347

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H.P. 965

House of Representatives, April 9, 2013

**An Act To Improve the School Administrative Unit Consolidation  
Laws by Allowing a Regional School Unit To Dissolve Itself**

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative PARRY of Arundel.

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

2 **CONCEPT DRAFT**

3 **SUMMARY**

4 This bill is a concept draft pursuant to Joint Rule 208.

5 This bill proposes to improve the school administrative unit consolidation laws by  
6 allowing for the dissolution of a regional school unit at the end of any school year. The  
7 bill provides the following process for the dissolution of a regional school unit.

8 1. A member municipality of a regional school unit may petition to hold a vote on  
9 the dissolution of the regional school unit.

10 2. If a majority of the voters in the municipality approve the petition, the petition  
11 must be presented to the regional school unit board and the Commissioner of Education.  
12 The commissioner shall contact the regional school unit board, municipal officers of the  
13 participating municipalities and representatives of the group that filed the petition to  
14 establish a dissolution committee, which must prepare a dissolution agreement for  
15 submission to the voters of the member municipalities in the regional school unit.

16 3. Each member municipality of the regional school unit may independently decide  
17 whether the member municipality wants to participate in the referendum vote to dissolve  
18 the regional school unit.

19 4. A majority of the member municipalities within the regional school unit must  
20 approve the decision to hold the referendum vote on the question on the dissolution of the  
21 regional school unit.

22 5. The regional school unit may be dissolved only if a majority of voters in a  
23 majority of the member municipalities within the regional school unit votes to approve  
24 the referendum question to dissolve the regional school unit.

25 6. If a majority of voters in a majority of the member municipalities within the  
26 regional school unit votes to approve the referendum question on the dissolution of the  
27 regional school unit, the regional school unit must be dissolved and the board of directors  
28 of the regional school unit and a dissolution committee comprised of members  
29 representing each of the member municipalities in the regional school unit must develop  
30 and execute a dissolution agreement.

31 7. The dissolution agreement must provide for the disposition of all real and personal  
32 property and other monetary assets.

33 8. The dissolution agreement must address the outstanding indebtedness of the  
34 regional school unit as follows:

1           A. Outstanding indebtedness may not include debt service for school property,  
2 including real estate, facilities and any other infrastructure debt that is the sole  
3 responsibility of a member municipality within the regional school unit; and

4           B. Except for the provisions in paragraph A, outstanding indebtedness must be  
5 apportioned to each member municipality of the regional school unit based on the  
6 percentage of resident students that each member municipality has of the total student  
7 resident count in the regional school unit.

8           9. The member municipalities of the dissolved regional school unit may not be  
9 penalized for dissolving the regional school unit.

10          10. The member municipalities of the dissolved regional school unit may join  
11 another existing regional school unit or alternative organizational structure or may form  
12 an alternative organizational structure with another school administrative unit or with  
13 other units.

14          11. A member municipality of the dissolved regional school unit that tuitions a  
15 majority of its resident students to another school administrative unit or a private school  
16 that is approved to receive publicly funded students is exempt from any requirements  
17 established for the minimum number of students under the school administrative unit  
18 consolidation law and may form its own municipal school unit. A municipal school unit  
19 formed under this exemption must continue to provide school choice to parents of  
20 students who reside in the member municipality.