

MAINE STATE LEGISLATURE

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NEW DRAFT.

Sixty-Fifth Legislature.

HOUSE.

No. 217.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-ONE.

AN ACT to Abolish School Districts and to Provide for more
Efficient Supervision of Public Schools.

*Be it enacted by the Senate and House of Representatives
in Legislature assembled, as follows:*

SECTION 1. The school districts in all towns in this
2 State are hereby abolished. Provided, however, that
3 school districts organized with special powers by act of
4 the legislature, may retain such organization; but said
5 districts shall annually, on or before the first day of June,
6 by their agents, trustees or directors, submit to the school
7 committees of their several towns estimates of the amounts
8 required for the maintenance of the schools therein, other

9 than free high schools, for the ensuing school year, and
10 shall be entitled to such portion of the common school
11 funds of the town as said committees shall determine,
12 which sum shall not be less than is necessary for the
13 maintenance of their schools for a period equal to that of
14 the other schools of the town.

SECT. 2. Immediately after this act shall have become
2 a law, towns shall take possession of all school-houses,
3 lands, apparatus and other property owned and used by
4 the school districts hereby abolished, which districts may
5 lawfully sell and convey. The property so taken shall
6 forthwith be appraised by the assessors of said towns, and
7 at the first annual assessment thereafter a tax shall be
8 levied upon the whole town, or such part thereof as is
9 included within the districts abolished, equal to the whole
10 amount of said appraisal, and then shall be remitted to
11 the tax payers of each of said districts the said appraised
12 value of its property so taken. In case of districts com-
13 prising parts of two or more towns, the assessors of
14 said towns shall jointly appraise the school property be-
15 longing to said districts, and shall determine the part
16 thereof belonging to each of the said towns, and each
17 town shall remit to the tax payers in its part of such dis-
18 trict the part so determined, in the same manner as in
19 case of districts wholly within said town.

SECT. 3. This act shall not abolish or change the location
2 of any school legally established at the time of its passage ;
3 but any town at its annual meeting, or at a meeting called
4 for the purpose, may determine the number and loca-
5 tion of its schools, and may discontinue them or change
6 their location ; but such discontinuance or change of loca-

7 tion shall be made only on the written recommendation
8 of the superintending school committee, and on conditions
9 proper to preserve the just rights and privileges of the
10 inhabitants for whose benefit such schools were estab-
11 lished: Provided, however, that in case of any school
12 having, as now established, or which shall hereafter have,
13 too few scholars for its profitable maintenance, the super-
14 intending school committee may suspend the operation of
15 such school for not more than one year, unless otherwise
16 instructed by the town, and may provide for the scholars
17 belonging thereto in other schools, for which purpose they
18 may, if in their judgment necessary, procure the convey-
19 ance of said scholars to such other schools and pay for the
20 same from the school moneys of the town.

SECT. 4. The corporate powers of every school district
2 shall continue under this act so far as the same may be
3 necessary for the meeting of its liabilities and the enforcing
4 of its rights; and any property held in trust by any school
5 district by virtue of a gift, devise or bequest for the benefit
6 of said district shall continue to be held and used according
7 to the terms thereof.

SECT. 5. The school moneys of every town shall be so
2 expended as to give as nearly as practicable the same
3 aggregate annual length of terms in all its schools, and
4 every town shall make provision for the maintenance of
5 all its schools for not less than twenty weeks annually.
6 Any town failing to maintain its schools as provided in
7 this section shall be debarred from drawing its State school
8 moneys, till it shall have made suitable provision for so
9 maintaining them thereafter.

SECT. 6. Adjoining towns, upon the written recom-
2 mendation of the school committee of said towns may by

3 concurrent action maintain union schools for the benefit
4 of parts of said towns in what are now union school dis-
5 tricts, or may establish such schools, and shall contribute
6 to their support each in proportion to the number of
7 scholars in each of said towns attending such schools.
8 Said schools shall be under the management of the school
9 committee of the town in which their school-houses are
10 located.

SECT. 7. The inhabitants of any section of a town
2 which fails or neglects to provide for the maintenance of
3 free high schools, may organize a free high school pre-
4 cinct in the manner hereinafter provided, which shall have
5 all the rights conferred upon school districts in the pro-
6 visions of law relating to free high schools; on petition
7 of any five voters resident in said section, reciting the
8 limits of the precinct proposed, the municipal officers of
9 the town shall call a meeting of the voters within said
10 limits by causing notices, specifying the time, place and
11 purposes of said meeting, seven days before the time
12 appointed, to be posted in two or more conspicuous places
13 within said limits. Said meeting shall choose a modera-
14 tor and a clerk who shall be sworn, and shall, by a major-
15 ity vote of those present and voting, determine whether
16 said precinct shall be organized. It shall choose an agent
17 who shall be duly sworn, whose powers and duties shall
18 be the same as those of district agents as defined in the
19 law relating to free high schools. Such precinct may
20 continue its organization from year to year by the holding
21 of meetings called in the manner aforesaid, so long as the
22 town shall neglect or refuse to support free high schools.
23 Sections of adjoining towns may organize as herein pro-

24 vided, and unite in the support of such schools. But no
25 more than two such precincts shall exist at the same time
26 in any town. Moneys voted by said precincts shall be
27 assessed and collected in the manner now provided for
28 the assessment and collection of moneys voted by school
29 districts.

SECT. 8. The management of the schools and the cus-
2 tody and care of all school property in every town, shall
3 devolve upon a superintending school committee con-
4 sisting of three, five or seven members in each town, as
5 the town may elect, who shall be chosen by ballot at the
6 annual meeting of the town, and shall hold office for three
7 years; provided, however, that in towns not having such
8 committees when this act becomes law, the committees
9 then chosen, at their first meeting shall designate by lot a
10 member or members to hold office for one, two and three
11 years respectively, in manner as follows, to wit: if con-
12 sisting of three, one for one year, one for two years and
13 one for three years; if consisting of five, one for one
14 year, two for two years, and two for three years; if con-
15 sisting of seven, two for one year, two for two years and
16 three for three years, and they shall certify such designa-
17 tion to the town clerk, to be by him recorded. Said
18 committee shall have power to fill vacancies occurring
19 during the interim between annual meetings, and shall
20 annually elect one of its members supervisor of schools,
21 who shall be ex-officio secretary of the committee, shall
22 make the annual enumeration of scholars required by law,
23 and shall examine the schools and inquire into the regula-
24 tions and discipline thereof and the proficiency of the
25 scholars, for which purposes he shall visit each school at

26 least twice each term. He shall make all reports and
27 returns relating to the schools of the town which are now
28 or may be required by law to be made by superintending
29 school committees, and perform such other duties as said
30 committee shall direct. Provided further, that in case the
31 town so authorize, in lieu of the supervisor herein pro-
32 vided for, a superintendent may be elected who may or
33 may not be a member of the committee.

Said committee shall serve without pay, but the super-
35 visor or superintendent by them elected, shall receive for
36 his services such sum as the town shall annually vote
37 therefor, which sum shall in no case be less than two dol-
38 lars per day for every day of actual service.

SECT. 9. All laws and parts of laws inconsistent here-
2 with except private and special laws authorizing towns
3 and cities to choose school committees other than those
4 herein provided for, are hereby repealed.

SECT. 10. This act shall take effect on the first day of
2 March in the year of our Lord eighteen hundred and
3 ninety-two.

MAJORITY REPORT.

The Committee on Education to which was referred the bill, entitled "An Act to abolish school districts and provide for more efficient supervision of public schools," have had the same under consideration, and ask leave to report the same in a new draft, under title of "An Act to abolish school districts and provide for more efficient supervision of public schools," and that it ought to pass.

A. M. SPEAR,
L. A. POOR,
JOHN O. SHAW,
O. B. CLASON,
F. W. KEEGAN,
M. L. MERRILL,
EDWARD KIMBALL.

MINORITY REPORT.

The Committee on Education to which was referred the bill, entitled "An Act to abolish school districts and provide for more efficient supervision of public schools," have had the same under consideration, and ask leave to report that the same ought not to pass.

L. R. GILES,
J. H. LITTLEFIELD,
J. A. HAM.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES. }
March 6, 1891. }

Tabled, pending acceptance of either report, by Mr. LITTLEFIELD
of Penobscot, and both reports and bill ordered printed.

W. S. COTTON, *Clerk.*