

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-THIRD LEGISLATURE

HOUSE.

No. 599

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND SEVEN.

AN ACT to establish a Board of Education in the city of
Augusta, and to provide for a uniform system of schools
therein.

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

Section 1. A board of education is hereby created in the
2 city of Augusta, to consist of nine persons, one from each of
3 the eight wards of said city, elected as hereinafter provided,
4 and the president of the trustees of the Cony Female Acad-
5 emy in said city, who shall be ex-officio a member of said
6 board and entitled to participate in its deliberations and serve

7 upon any committees of its own appointment, but who shall
8 vote only in case of a tie.

Sect. 2. On the first Monday of June, 1907, at half past
2 seven o'clock in the evening, the electors of the several wards
3 in the city of Augusta, qualified to vote at municipal elections
4 therein, and without regard to their political affiliations, shall
5 meet in such place in the ward as the mayor and aldermen of
6 said city may designate in their warrants, for the purpose of
7 electing, in each ward, one member of the board of educa-
8 tion. Said meetings shall be called by the mayor and alder-
9 men by a warrant for each ward under their hands, stating
10 the time, place and purposes of the meeting, true and attested
11 copies whereof shall be posted by the city marshal or any
12 constable of the said city at least seven days before the day
13 of the meeting and in at least two public and conspicuous
14 places in the ward. The marshal or said constable shall
15 cause the original warrants, with a return of his doings
16 thereon, to be delivered to the chairman of said respective
17 ward meetings, on the date thereof, and the secretaries of
18 said meetings shall respectively make records thereof. The
19 city clerk shall also cause a notice of such meetings to be
20 published in at least two newspapers in the city of Augusta,
21 representing if possible different political parties, between
22 the time of issuing the warrants and the time appointed for
23 said meetings. Said ward meetings shall be respectively
24 organized by the choice of a chairman and a secretary, by
25 ballot or otherwise, and shall thereupon, by ballot or other-

26 wise as may be determined at the meeting, proceed to the
27 election of a member of said board of education, who shall
28 be a resident of the ward where elected. The tenure of
29 office of the members so elected shall be as follows: those
30 from wards one, two and three, until the first Monday of
31 June, 1908; those from wards four, five and six, until the
32 first Monday of June, 1909; and those from wards seven
33 and eight, until the first Monday of June, 1910; and in each
34 instance, until others are elected in their places. On each
35 first Monday of June thereafter, at half-past seven o'clock
36 in the evening, commencing with the year 1908, one member
37 of said board shall be chosen by each of those wards whose
38 members' terms are about to expire, and the term of office
39 shall be three years, and until others shall be elected in their
40 places. Meetings for the purpose shall be called and con-
41 ducted in the manner prescribed for the meetings of 1907.
42 In case of a vacancy, a member may be chosen by the ward
43 in which the vacancy exists to fill the unexpired term, at a
44 meeting specially called for the purpose by the mayor and
45 aldermen, and conducted like other similar meetings.

Sect. 3. The board of education, elected as hereinbefore
2 provided, shall perform all the duties and be invested with all
3 the rights and powers of superintending school committees
4 of towns, including the right to direct the expenditure of all
5 school moneys. The board shall elect a chairman annually,
6 and appoint some suitable person, not a member of the board,
7 superintendent of schools, and may adopt such rules and

8 regulations for the management of the schools and the con-
9 duct of the business of the board as are not inconsistent with
10 the laws of the State. The superintendent shall be the sec-
11 retary and executive agent of the board, which shall fix his
12 salary, to be paid from the city treasury as salaries of teach-
13 ers are paid, and may remove him and appoint a successor.
14 The members of the board shall receive no compensation for
15 their services as such. The members elected by the several
16 wards shall not be members of the city council.

Sect. 4. On the second Monday of May at half past seven
2 o'clock in the evening, annually, commencing with the year
3 1908, a general meeting of the citizens of said city, qualified
4 to vote at municipal elections therein, and without regard to
5 their political affiliations, shall be convened in the city hall of
6 said city. Such meeting shall be called in the manner pre-
7 scribed for calling ward meetings in section 2 of this act,
8 except that there shall be but one original warrant, true and
9 attested copies whereof shall be posted by the city marshal
10 or any constable of said city at least seven days before the
11 day of the meeting, and in at least two public and conspicu-
12 ous places in each ward. The marshal or said constable
13 shall deliver the original warrant, with a return of his doings
14 thereon, to the moderator of said meeting when elected, and
15 the secretary of the meeting shall make a record thereof. The
16 chairman of the board, if present, or in his absence any
17 member of the board, or if no such member is present any
18 citizen qualified to vote at municipal elections in said city

19 may call the meeting to order, and preside until the election
20 of a moderator. The meeting shall immediately proceed, by
21 ballot or otherwise, to the choice of a moderator and a sec-
22 retary. The moderator shall preside with the power of mod-
23 erators of town meetings, and together with the secretary
24 shall be duly sworn by any justice of the peace of said city.
25 A record of such oaths shall be made by the secretary. At
26 such meeting the board of education shall submit a printed
27 report, the edition whereof shall consist of not less than fif-
28 teen hundred copies, of the affairs and condition of the city
29 schools for the year ending on the first day of April next
30 preceding the meeting, together with an estimate of the
31 amount needed for school purposes for the current year. The
32 said electors present shall have power to raise by vote for
33 the support of the public schools in said city, for the current
34 year ending on the first day of April such sum, not less than
35 the amount required by the general laws of the state, as they
36 may deem necessary for that purpose. The secretary shall
37 forthwith, or within the time prescribed by the meeting, cer-
38 tify the amount thereof to the assessors of said city, and it
39 shall be included with, and assessed like other city taxes, and
40 all the provisions of law relating to the assessment and col-
41 lection of taxes shall be applicable to such tax. Said meeting
42 shall also have the power of borrowing money to build
43 schoolhouses, set forth in section 81 of chapter 11 of the
44 Revised Statutes of 1883, relating to school districts, and so
45 far as applicable the provisions of sections 81 to 84 inclusive

46 of chapter 11 of the Revised Statutes of 1883 relative thereto
47 shall be in force in said city.

Sect. 5. The fifth sentence of section 4 of the charter of
2 said city is hereby amended by striking therefrom the words
3 "superintending school committee," and the words "and
4 except as herein otherwise directed," so that said sentence as
5 amended, shall read as follows:

'Except as otherwise provided by law, all officers shall be
7 chosen and vacancies supplied for the current year, of whom
8 the assessors, city marshal, chief engineer of fire department,
9 collector, overseer of the poor, street engineer, street com-
10 misioners, and treasurer, shall not be members of the city
11 council.'

Sect. 6. This act shall be submitted for acceptance to the
2 qualified voters of said city of Augusta, at an election to be
3 specially called for the purpose and held on the second Mon-
4 day of May, in the year of our Lord one thousand nine hun-
5 dred and seven, said election to be called, advertised, held
6 and conducted as provided by law relating to municipal
7 elections in said city. The question of the acceptance of
8 the act shall be submitted to said electors in the following
9 form: "Shall 'An act to establish a board of education in
10 the city of Augusta, and to provide for a uniform system of
11 schools therein,' be accepted?" The city clerk shall prepare
12 the ballots to be used at said election in such form that the
13 elector may plainly indicate by a cross placed over the word
14 "yes," or "no," his opinion upon said question. Should said

15 question receive more affirmative than negative votes at said
16 election, this act shall be deemed to have been accepted. The
17 result of said election shall be declared by the municipal offi-
18 cers of said city, and duly certified by the city clerk to the
19 secretary of state. A printed copy of the provisions of this
20 act shall be posted at the time and places specified by law for
21 posting notices of such election, and in at least two conspic-
22 uous places in each voting place during said election.

Sect. 7. In case this act is accepted, as provided in the pre-
2 ceding section, immediately upon the election of the members
3 of the board of education at the ward meetings held on the
4 first Monday of June, 1907, the terms of office of all then
5 existing members of the superintending school committee,
6 directors, officers and agents of school districts, and of all
7 other school committees, officials or agents in said city of
8 Augusta, shall thereupon cease; and all school districts in
9 said city are thereupon abolished, their property, real and
10 personal, vested in the city of Augusta, and their liabilities
11 assumed by said city.

Sect. 8. Upon the acceptance of this act, as hereinbefore
2 provided, chapter 349 of the Private and Special Laws of
3 1833, chapter 8 of the Private and Special Laws of 1847,
4 chapter 190 of the Private and Special Laws of 1848, chapter
5 272 of the Private and Special Laws of 1849, chapter 32 of
6 the Private and Special Laws of 1853, chapter 276 of the
7 Private and Special Laws of 1873 and chapter 76 of the
8 Private and Special Laws of 1887 are hereby repealed; and

9 all other acts or parts of acts, public or private, and all ordi-
10 nances of the city of Augusta, inconsistent with the pro-
11 visions of this act, upon such acceptance are hereby repealed,
12 so far as relates to the city of Augusta.

Sect. 9. Except as otherwise herein provided, this act shall
2 take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES.

Augusta, March 15, 1907.

Reported by Mr. GLEASON from Committee on Education, and
ordered printed under joint rules.

E. M. THOMPSON, *Clerk.*