

MAINE STATE LEGISLATURE

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SEVENTY-FOURTH LEGISLATURE

SENATE.

No. 76

STATE OF MAINE.

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

AN ACT to amend sections forty, forty-one, forty-three, forty-four and forty-five of Chapter fifteen of the Revised Statutes relating to the union of two or more towns for the employment of a superintendent of schools.

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

Section 1. Section forty of chapter fifteen of the Revised
2 Statutes, as amended by chapter fifty-five of the public laws
3 of nineteen hundred and five, is hereby further amended by
4 adding after the word "purpose" in line six of said section,
5 the words 'provided further that such union shall not take
6 effect until the State superintendent of public schools shall
7 have approved the certificate of union as hereinafter pro-

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8 vided. But the committee of any town dissatisfied with the
9 decision of the State superintendent may appeal to the gov-
10 ernor and council who shall make a final decision relative
11 thereto,' so that said section as amended shall read as fol-
12 lows:

'Section 40. The school committees of two or more towns,
14 having under their care and custody an aggregate of not
15 less than twenty, nor more than fifty schools, may unite in
16 the employment of a superintendent of schools, provided
17 they have been so authorized by a vote of their towns at the
18 regular town meetings, or special town meetings called for
19 that purpose. Provided further, that such union shall not
20 take effect until the State superintendent of public schools
21 shall have approved the certificate of union as hereinafter
22 provided. But the committee of any town dissatisfied with
23 the decision of the State superintendent may appeal to the
24 governor and council who shall make a final decision relative
25 thereto.'

Sect. 2. Section forty-one of chapter fifteen of the Re-
2 vised Statutes, as amended by chapter one hundred and one
3 of the public laws of nineteen hundred and seven is hereby
4 further amended by adding after the words "years" in the
5 seventeenth line, the words 'but the period of such election
6 shall not exceed that for which the union of towns has been
7 authorized,' so that said section when amended shall read as
8 follows:

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‘Section 41. The school committees of the towns comprising a union shall form a joint committee, and for the purposes of this section and the four following sections, said joint committee shall be held to be the agents of each town comprising the union. Said joint committee shall meet annually at a day and place agreed upon by the chairmen of the committees of the several towns comprising the union, and shall organize by the choice of a chairman and a secretary. They shall determine the relative amount of service to be performed by the superintendent in each town, fix his salary, apportion the amounts thereof to be paid by the several towns, which amount shall be certified to the treasurers of said towns respectively and to the State superintendent of schools, together with the amount apportioned to each town; provided that the amounts so certified shall be in proportion to the amount of service performed in the several towns. They shall choose by ballot a superintendent of schools for a term not exceeding five years, but the period of such election shall not exceed that for which the union of towns has been authorized.’

Sect. 3. Section forty-three of chapter fifteen of the Revised Statutes, as amended by chapter one hundred and one of the public laws of nineteen hundred and seven is hereby further amended by adding after the word “committee” in the tenth line, the words ‘at the expiration of such three year period the towns shall again vote to see whether the union shall be continued and in case the towns shall author-

8 ize the continuance of the union after the third year, as
9 herein provided, such union shall be permanent except that
10 any town may at its annual meeting, after the school com-
11 mittee shall have made written recommendation to that ef-
12 fect, withdraw from said union and instruct said committee
13 to join with some other town or towns,' so that said section
14 when amended shall read as follows:

'Section 43. The towns uniting for the purpose of em-
16 ploying a superintendent of schools shall appropriate for his
17 salary their proportion of the sum paid said superintendent;
18 and the amount to be paid by each town shall be determined
19 by dividing the entire sum expended for superintendence
20 among the towns comprising the union in the proportion of
21 the service performed in each town. A union of towns
22 formed under the provisions of sections forty and forty-one
23 shall continue for a period of three years unless sooner dis-
24 solved by a two-thirds vote of the joint committee. At the
25 expiration of such three year period the towns shall again
26 vote to see whether the union shall be continued and in case
27 the towns shall authorize the continuance of the union after
28 the third year, as herein provided, such union shall be per-
29 manent except that any town may at its annual meeting, af-
30 ter the school committee shall have made written recom-
31 mendation to that effect, withdraw from said union, and in-
32 struct said committee to join with some other town or
33 towns.'

Sect. 4. Section forty-four of chapter fifteen of the Revised Statutes is hereby amended by inserting after the word “state” in line two of said section, the word ‘superintendence,’ and by inserting after the word “certificates” in line two, the words ‘as authorized,’ and by inserting after the word “superintendence” in line three, the words ‘in the towns comprising the union,’ so that said section, when amended, shall read as follows:

‘Section 44. Persons employed to serve as superintendents of schools under section forty-one shall hold State superintendence certificates as authorized under section one hundred and five and shall devote their entire time to superintendence in the towns comprising the union. The powers and duties of said superintendents shall be the same as those prescribed for town superintendents in this chapter.’

Sect. 5. Section forty-five of chapter fifteen of the Revised Statutes as amended by section eight of chapter forty-eight of the public laws of nineteen hundred and five, is hereby further amended by striking out after the word “towns” in the last line of said section, the words ‘the provisions of this section and of the five preceding sections shall apply equally to towns formed by the union of two or more towns,’ so that said section, as amended, shall read as follows:

‘Section 45. No town shall receive State aid under section forty-two unless its appropriation and expenditure for superintendence have been exclusive of the amount required

13 by law for common school purposes. If any part of the
14 money raised by the towns or union or towns, or paid to
15 them by the State for superintendence, is expended for any
16 other purposes than those provided for in said section, then
17 each person so misappropriating said money shall forfeit
18 double the sum so misapplied, to be recovered in an action of
19 debt, in the name and to the use of the town, by any inhabi-
20 tant thereof; and no town or union of towns shall receive
21 further aid under said section until the amount so misap-
22 plied has been raised and expended for superintendence by
23 such town or union of towns.'

STATE OF MAINE.

IN SENATE,

January 28, 1909.

Presented by Mr. KNOWLTON of Piscataquis and on his motion tabled for printing pending reference to Committee on Education.

F. G. FARRINGTON, *Secretary*.