

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 386

In Senate, Feb. 26, 1913.

Presented by Senator Murphy of Cumberland, and on motion by same Senator laid on the table for printing pending reference to a committee.

W. E. LAWRY, Secretary.

STATE OF MAINE

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

AN ACT to amend Sections one hundred twenty-two, one hundred twenty-three and one hundred twenty-six of Chapter fifteen of the Revised Statutes, and Sections three and five of Chapter one hundred seventy-seven of the Public Laws of nineteen hundred nine, to provide for the distribution of the school mill fund and the common school fund on the basis of aggregate attendance in all educational institutions within the State.

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

Section 1. Section one hundred twenty-two of chapter 2 fifteen of the Revised Statutes is hereby amended by strik-

3 ing out all of said section after the word "the" in the tenth
4 line thereof and substituting in place thereof the follow-
5 ing: 'aggregate attendance of all persons under twenty-one
6 years of age attending any educational institutions within
7 the state, and the apportionment, for each person so attend-
8 ing, shall be made to the town of which he is a resident.
9 The aggregate attendance in any city, town or plantation
10 shall be determined by computing the grand total of the
11 number of days and fractional parts thereof that each per-
12 son under twenty-one years of age resident of the town has
13 attended in any educational institution within the state. And
14 provision is hereby made that the officers in charge of all
15 educational institutions within the state shall furnish under
16 oath to the state superintendent of public schools on forms
17 prescribed by him full and complete attendance reports and
18 failure to so file such reports before the first day of July
19 shall deprive any town having pupils in such institutions so
20 failing from drawing state aid on account of the attendance
21 of such pupils,' so that said section when amended shall
22 read as follows:

'Sect. 122. The treasurer of state shall keep a separate
24 account of all moneys received from sales of bonds, appro-
25 priated for the support of schools or from notes taken
26 therefor, and of any other moneys appropriated for the
27 same purpose; and such sum shall constitute a permanent
28 school fund, which may be put at interest as the legislature
29 directs. A sum equal to six per cent of the amount of such

30 fund, and one-half the sum received by the state from the
31 tax on the franchises of savings banks, and one-half the
32 sum assessed upon the deposits of trust and banking com-
33 panies, shall be annually appropriated to the support of
34 common schools, and distributed among the several towns
35 according to the aggregate attendance of all persons under
36 twenty-one years of age attending any educational institu-
37 tions within the state, and the apportionment, for each per-
38 son so attending, shall be made to the town of which he is
39 a resident. The aggregate attendance in any city, town or
40 plantation, shall be determined by computing the grand total
41 of the number of days and fractional parts thereof that each
42 person under twenty-one years of age resident of the town
43 has attended in any educational institution within the state.
44 And provision is hereby made that the officers in charge
45 of all educational institutions within the state shall furnish
46 under oath to the state superintendent of public schools on
47 forms prescribed by him full and complete attendance re-
48 port and failure to so file such reports before the first day
49 of July shall deprive any town having pupils in such insti-
50 tutions so failing from drawing state aid on account of the
51 attendance of such pupils.'

Sect. 2. Section one hundred twenty-three of chapter fif-
2 teen of the Revised Statutes is hereby amended so that said
3 section as amended shall read as follows:

'Sect. 123. The state auditor shall, immediately after the
5 first day of July, apportion to the town all the state school

6 funds for the year according to the aggregate attendance
7 in said towns furnished by the state superintendent of pub-
8 lic schools. The aggregate attendance of a town from which
9 either the school committee or the municipal authorities have
10 failed to make the returns required by law, shall be reck-
11 oned by taking the number used as the basis of the last
12 apportionment and making deductions for attendance of
13 persons set off to other towns, or incorporated into a new
14 town within a year, and one-tenth of the remainder, and
15 the residue shall be the basis of the new apportionment.
16 Immediately after making the apportionment the auditor
17 shall issue a certificate of such apportionment to the treas-
18 urer of state who shall notify each town of its proportion;
19 which shall not be paid to any town until its returns, both
20 common school and fiscal are made to the state superintend-
21 ent of public schools, nor so long as any state tax assessed
22 upon such town remains unpaid.'

Sect. 3. Section one hundred twenty-six of chapter fif-
2 teen of the Revised Statutes is hereby amended by striking
3 out the words "number of scholars therein" in the third line
4 thereof and by substituting in place thereof the words 'ag-
5 gregate attendance of all persons under twenty-one years
6 of age, resident therein, attending any educational institu-
7 tions within the state,' so that said section when amended
8 shall read as follows:

'Sect. 126. This fund shall be distributed by the treas-
10 urer of state on the first day of January, annually, so that

11 several cities, towns and plantations according to the aggre-
12 gate attendance of all persons under twenty-one years of
13 age, resident therein, attending any educational institutions
14 within the state, as the same shall appear from the official
15 return made to the state superintendent of public schools
16 for the preceding year.'

Sect. 4. Section three of chapter one hundred seventy-
2 seven of the Public Laws of nineteen hundred nine is here-
3 by amended so that said section when amended shall read
4 as follows:

'Sect. 3. This fund shall be distributed by the treasurer
6 of state on the first day of January, annually, to the several
7 cities, towns and plantations according to the aggregate
8 attendance of all persons under twenty-one years of age
9 attending any educational institutions within the state as
10 the same shall appear from the official returns made to the
11 state superintendent of public schools for the preceding
12 year; and the apportionment for each pupil so attending
13 shall be made to the town of which he is a resident.'

Sect. 5. Section six of chapter one hundred seventy-seven
2 of the Public Laws of nineteen hundred nine is hereby
3 amended by adding to said section the following: 'But any
4 city, town or plantation wherein there is located a parochial
5 school or parochial schools may pay to the authorities in
6 charge of said school or schools such sum or sums as have
7 been received from the state by said city, town or plantation
8 through attendance of persons resident of said city, town

9 or plantation in said parochial school or schools,' so that
10 said section when amended shall read as follows:

'Sect. 6. Sums received by any city, town or plantation
12 from the distribution provided by section three, shall be
13 deemed to be raised by such city, town or plantation within
14 the meaning of Revised Statutes, chapter fifteen, section
15 thirteen, as amended. But any city, town or plantation
16 wherein there is located a parochial school or schools may
17 pay to the authorities in charge of said school or schools
18 such sum or sums as have been received from the state by
19 said city, town or plantation through attendance of persons
20 resident of said city, town or plantation in said parochial
21 school or schools.'