

# MAINE STATE LEGISLATURE

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# EIGHTY-THIRD LEGISLATURE

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**House Document**

**No. 41**

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H. P. 109

House of Representatives, Jan. 26, 1927.

Referred to Committee on Legal Affairs and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Bishop of Boothbay Harbor.

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## STATE OF MAINE

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

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AN ACT to Incorporate the Boothbay Harbor School District.

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

Section 1. Territorial limits; purposes. All of the town  
2 of Boothbay Harbor excepting Isle of Springs island and  
3 that part of the town embraced within the limits of the  
4 Bayville Village Corporation, together with the inhabitants  
5 thereof, is hereby created a body politic and corporate under  
6 the name of Boothbay Harbor School District for the pur-  
7 pose of erecting, equipping and maintaining a high school  
8 building within said district upon land secured for the pur-  
9 pose, for the benefit of the inhabitants thereof.

Sect. 2. Building site may be acquired by purchase, lease

2 or eminent domain; procedure; town of Boothbay Harbor  
3 authorized to convey to school district. Said school dis-  
4 trict is hereby authorized and empowered to acquire by pur-  
5 chase or lease the high school buildings and lot connected  
6 therewith, owned by the town of Boothbay Harbor and to  
7 remodel said building and build additions thereto, and to  
8 purchase or acquire by eminent domain any adjoining lands  
9 necessary for play grounds or other school purposes, not  
10 exceeding five acres, in the same manner as towns are now  
11 authorized or may hereafterward be authorized to take lands  
12 for school purposes. If no arrangements can be made with  
13 the town for taking its high school building and lot or if  
14 some other location seems more desirable then the school  
15 district is authorized to purchase or take by eminent do-  
16 main such other lands as it may designate by vote, not  
17 exceeding the amount of land allowed towns for such pur-  
18 poses, and may erect thereon new high school buildings.  
19 The town of Boothbay Harbor is hereby expressly author-  
20 ized and empowered to convey or lease to said school dis-  
21 trict any property owned by it. Said school district is  
22 hereby authorized after acquiring and equipping any high  
23 school building or buildings to sell or lease the same to the  
24 town of Boothbay Harbor.

Sect. 3. Management of affairs. All the affairs of said  
2 district shall be managed by a board of trustees composed  
3 of three members who shall be elected as hereinafter pro-  
4 vided.

Sect. 4. Trustees, how elected; first meeting; tenure of  
2 office; vacancies, how filled; trustees must reside in the dis-  
3 trict. The trustees shall be elected by ballot, by a majority  
4 of the legal voters of said district at a special meeting of  
5 said district, called, held and conducted in the same manner  
6 as town meetings are called, held and conducted in Booth-  
7 bay Harbor, said special meeting to be called by the select-  
8 men of said Boothbay Harbor, within thirty days after the  
9 acceptance of this act by the voters of said district as here-  
10 inafter provided. The result of said election shall be de-  
11 clared by the selectmen of the town of Boothbay Harbor  
12 and due certificate thereof filed with the town clerk. The  
13 term of office of the trustees shall begin on the day on  
14 which said special election is held. As soon as convenient  
15 after the members of said board have been chosen, the trus-  
16 tees shall hold a meeting at the town office in the town of  
17 Boothbay Harbor to be called by one of the trustees upon  
18 such reasonable notice thereof as he may deem proper.  
19 They shall organize by the election of president and clerk,  
20 adopt a corporate seal and choose a treasurer and agent  
21 or agents for the proper conduct and management of the  
22 affairs of the district. At the first meeting the trustees so  
23 elected shall determine by lot the term of office of each  
24 trustee, so that one trustee shall retire each year and the  
25 term of office of the first trustee to expire, shall end at the  
26 next municipal election of the town of Boothbay Harbor  
27 following the acceptance of this act, and thereafter the

28 term of office of a trustee shall expire and his successor  
29 shall be elected by ballot by a majority vote of the voters  
30 of said district at the annual meeting of said district to be  
31 held upon the date of the annual town meeting of said town,  
32 and called, held and conducted in the same manner as is  
33 provided by statute for the calling, holding and conducting  
34 of town meetings. The trustees so elected shall serve the  
35 full term of three years and in case any vacancy arises in  
36 the membership of the board of trustees, it shall be filled  
37 by the selectmen of said Boothbay Harbor for the unex-  
38 pired term. When any trustee ceases to be a resident of  
39 said district he vacates the office of trustee and the vacancy  
40 shall be filled as aforesaid.

Sect. 5. Authorized to issue notes and bonds; bond of  
2 treasurer. To procure funds for the purposes of this act  
3 and such other expenses as may be necessary for carrying  
4 out said purposes, the said district is hereby authorized to  
5 issue its notes and bonds, but shall not incur a total indebt-  
6 edness exceeding the sum of thirty-five thousand dollars.  
7 Said bonds shall be a legal investment for savings banks  
8 in the state of Maine. Each bond shall have inscribed upon  
9 its face the words, "Boothbay Harbor School District," and  
10 shall bear interest at such rate as the trustees shall deter-  
11 mine, but none of which shall run for a longer period than  
12 twenty years. All notes or bonds issued by said district  
13 shall be signed by the treasurer and countersigned by the  
14 president of the district and if coupon bonds are issued

15 the coupons shall be signed by the treasurer. The treas-  
16 urer shall give bond to the district in such sum and with  
17 such sureties as said trustees may determine, which bond  
18 shall remain in the custody of the president. The expense  
19 of said bond shall be paid by the district.

Sect. 6. Sinking fund; cancelled bonds not to be reissued.  
2 In case said bonds are made to run for a period of years,  
3 a sinking fund shall be established by the trustees for the  
4 purpose of redeeming said bonds when they become due  
5 and a sum not less than five per cent of the whole bond  
6 issue shall be added to the sinking fund each year which  
7 shall be kept invested as the trustees may determine.  
8 Whenever any bonds issued by said district become due  
9 or can be purchased by said trustees on favorable terms,  
10 said trustees shall, if sufficient funds have accumulated in  
11 said sinking fund, redeem or purchase said bonds or cancel  
12 them. In no case shall bonds cancelled or redeemed be  
13 reissued. In case the amount of the sinking fund shall not  
14 be sufficient to pay the total amount of the bonds falling  
15 due at any one time, authority to issue new bonds sufficient  
16 to redeem so many bonds as cannot be redeemed from the  
17 sinking fund is hereby granted to said district, but in no  
18 case shall new bonds run beyond twenty years from date  
19 of the original issue.

Sect. 7. To provide money for sinking fund and expenses  
2 of district by taxation; tax, how collected. The trustees of  
3 Boothbay Harbor School District shall determine the sum

4 to be paid annually into the sinking fund, or if the bonds  
5 authorized by this act shall be issued to mature serially  
6 what amount is required each year to meet the bonds fall-  
7 ing due, and what sum is required each year to meet the  
8 interest on said bonds, and other necessary expenses of the  
9 district, and shall each year thereafter, before the first day  
10 of April, issue their warrant in the same form as the war-  
11 rant of the state treasurer for taxes, with proper changes,  
12 to the assessors of the town of Boothbay Harbor requiring  
13 them to assess the sum so determined, upon the taxable  
14 polls and estates within said district and to commit their  
15 assessment to the constable or collectors of said town of  
16 Boothbay Harbor, who shall have all the authority and  
17 powers to collect said taxes as is vested by law to collect  
18 state, county and municipal taxes. On or before the thirty-  
19 first day of December of the year in which said tax is so  
20 levied, the treasurer of said town shall pay the amount of  
21 the taxes so assessed against said district to the treasurer  
22 of said district.

The same authority as is vested in county officials for the  
2 collection of county taxes under the provisions of the re-  
3 vised statutes, is hereby vested in the trustees of said dis-  
4 trict in relation to the collection of taxes within said district.

Sect. 8. Subject to local referendum. This act shall not  
2 take effect unless accepted and approved by a majority vote  
3 of the legal voters of the territory embraced within the  
4 limits of said district voting at an election to be specially

5 notified and held for the purpose on the sixth day of July,  
6 nineteen hundred and twenty-seven. Such special election  
7 shall be notified, held and conducted, and the votes received,  
8 sorted, counted, declared and recorded by the selectmen of  
9 Boothbay Harbor, according to the law relating to the elec-  
10 tion of state officers, provided, however, that the selectmen  
11 of said town shall not be required to prepare for posting  
12 or the town clerk to post a new list of voters, and for the  
13 purpose of registration of voters and the correction of the  
14 list of voters said board shall be in session the first secular  
15 day next preceding such election. The town clerk shall  
16 reduce the subject matter of this act to the following ques-  
17 tion: "Shall the act to incorporate the Boothbay Harbor  
18 School District be accepted?" and the voters shall indicate  
19 by a cross placed over the words "Yes" or "No" their opin-  
20 ion of the same. The result in said district shall be de-  
21 clared by the selectmen of the town of Boothbay Harbor  
22 and due certificate filed by the town clerk with the secre-  
23 tary of state.

Sect. 9. Voters outside the district not to participate in  
2 elections. In all elections hereunder the selectmen of said  
3 Boothbay Harbor shall exclude from their lists and from  
4 all check lists the legal voters that are resident in that part  
5 of the town of Boothbay Harbor shown by section one here-  
6 of to be without the territorial limits of said district.