

MAINE STATE LEGISLATURE

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EIGHTY - SEVENTH LEGISLATURE

Legislative Document

No. 203

S. P. 253

In Senate, January 30, 1935.

Referred to Committee on Legal Affairs, sent down for concurrence and 500 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Worcester of Washington.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-FIVE

AN ACT To Incorporate the Town of Jonesport School District.

Emergency preamble. Whereas, the high school building in the town of Jonesport, in Washington county, burned on December 22, 1933, it has been necessary to continue classes in an abandoned school house, and Knights of Pythias Hall, making an overcrowded condition with poor light and heat, which is a dangerous condition to the lives and health of pupils of said school, and

Whereas, it is imperative that action be taken at the earliest possible moment to relieve this dangerous condition, and so that application can be made to the Federal Public Works Administration for a grant and a loan, and

Whereas, construction should be commenced immediately, and

Whereas, in the opinion of the legislature, these facts render the immediate passage of this act necessary for the preservation of the public peace, health and safety, and constitute an emergency within the meaning of section 16 of Article XXXI of the constitution, now therefore,

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

Sec. 1. Incorporation; name; purposes. The town of Jonesport, its territory and the people therein subject to the provisions of this act, shall

constitute a body politic and corporate under the name of the "Town of Jonesport School District" for the purpose of providing additional school facilities within said district, for the purpose of erecting and constructing a new high school building upon land provided and secured for school purposes, and located in said town of Jonesport, Maine, and for the further purposes of equipping and maintaining said building and grading the grounds about the same, all as hereinafter provided and for the benefit of the inhabitants of the said district.

Sec. 2. Conveyance of high school lot; majority vote required. The town of Jonesport is hereby authorized to convey to said "Town of Jonesport School District" the high school lot situated in the town of Jonesport, Maine, in Washington county.

Before conveying, as aforesaid, the municipal officers shall be duly authorized to make such conveyance by a majority vote of the legal voters of the said town, voting at a special meeting called for that purpose, or the next regular town meeting. Said town of Jonesport school district is hereby authorized and empowered by action of its trustees to accept from the town of Jonesport conveyance of the property above described.

Sec. 3. Trustees; how chosen; organization; compensation. All the affairs of said district as are herein provided shall be managed by a board of trustees composed of 5 members who shall hold office for the period of 5 years from the date of their appointment. Said trustees shall be chosen by the municipal officers of the town of Jonesport as soon as may be after the passage of this act as hereinafter provided. Removal from the town of Jonesport by any trustee shall ipso facto vacate his office. Vacancies upon the board of trustees occurring because of expiration of the official term of 5 years, removal from town, resignation, death or any cause shall be filled by the municipal officers of the town of Jonesport in the same manner in which the original board was chosen.

The members of the board as soon as convenient after they have been chosen as above provided, shall meet upon call of one of their number after such reasonable notice as he shall deem proper. At the first meeting the trustees so appointed shall determine by lot the term of office of each trustee, so that 1 trustee shall retire each year and the term of office of the first trustee, to expire shall end at the close of the municipal year of the town of Jonesport following the acceptance of this act. And thereafter the term of office of a trustee shall expire and his successor shall be appointed by the municipal officers of Jonesport at the close of each municipal year of said town. They shall then elect from their membership

a president, clerk, and treasurer, adopt a corporate seal and do all other acts, matters and things necessary to perfect their organization. Thus organized, the trustees shall have the right and authority to employ such officers and agents as they may deem necessary for the proper conduct and management of the affairs of the district.

The trustees shall serve without compensation except the treasurer shall receive for his services an amount to be fixed by the board of trustees not to exceed \$100 per year. The treasurer shall give a bond to the district in such sum and with such sureties as the trustees may determine, which bond shall be deposited with the president. The expense of such bond shall be paid by the district. The treasurer's salary, bond premium, and all expenses of the district shall be paid from the funds of the district. At the close of the fiscal year the trustees shall make a detailed report of their doing, of the financial condition of said district, and the physical condition of said school building, and also such other matters and things pertaining to said district as shall show the inhabitants thereof how said trustees are fulfilling the duties and obligations of their trust, said reports to be made, attested to and filed with the municipal officers of said town.

Sec. 4. Authorized to issue bonds and notes. To procure funds for the purposes of this act and such other expenses as may be necessary to the carrying out of said purposes, the district is hereby authorized to issue its notes and bonds, but shall not incur a total indebtedness exceeding the sum of \$50,000. Each bond shall have inscribed upon its face the words: "Town of Jonesport School District" and shall bear interest at such rates as the trustees shall determine. Terms and conditions of such bonds shall be wholly within the discretion of the trustees. All notes or bonds issued by the said district shall be signed by the treasurer and countersigned by the president of the district, and if coupon bonds be issued, each coupon shall be attested by a facsimile signature of the president and treasurer printed thereon.

Sec. 5. Trustees to issue warrant to meet obligations. The trustees of the "Town of Jonesport School District" shall annually determine the sum required each year to meet the bonds falling due, the interest on bonds or other obligations, and other necessary expenses of the district, and shall each year thereafter, before the 1st day of April, issue their warrant of the state treasurer for taxes, with proper changes, to the assessors of the town of Jonesport, requiring them to assess the sum so determined upon the taxable polls and estates within said district and to commit their assessment to the constable or collector of the said town of Jonesport, who shall

have all and the same authority and powers to collect said taxes as is vested by the law to collect state, county and municipal taxes. On or before the 31st day of December of the year in which said tax is so levied, the treasurer of said town shall pay the amount of the tax so assessed against said district, to the treasurer of said school district. In case of the failure on the part of the treasurer of the town to pay said sum, or in case of his failure to pay any part thereof on or before said 31st day of December of the year in which said tax is so levied, the treasurer of the said district may issue his warrant for the amount of the said tax, or so much thereof as shall remain unpaid, to the sheriffs of Washington county, requiring him to levy by distress and sale on real and personal property of any of the inhabitants of said district, and the sheriff or either or any of his deputies shall execute the warrant except as is otherwise provided herein. The same authority as is vested in county officials for the collection of the county taxes, under the provisions of the revised statutes, is hereby vested in the trustees of said district in relation to the collection of taxes within said district.

Sec. 6. When trustees cease to function. At such times as the school building shall have been completed, equipped, and occupied by pupils of said district shall have discharged all of its principal obligations and the property of said district shall be free and clear of all indebtedness, the board of trustees shall automatically cease to function and all of the duties, management, care and maintenance in respect to such school building shall revert to the school board of the town of Jonesport or other such board as may, and at that time have jurisdiction over similar school property, and then president and treasurer shall cause to be executed, signed and delivered, a good and sufficient deed of all property in said school district, to the town of Jonesport, all money, if any remaining in the treasury of the board of trustees at the time it ceases to function, shall be given to the treasurer of the town of Jonesport. This money shall be used only for school purposes and shall be kept separate from all other money until authorized by the selectmen of the town of Jonesport to be expended as hereafter provided.

Sec. 7. Effective date of act: referendum. This act, as is provided in section 1 hereof, shall not take effect unless accepted and approved by a majority vote of the legal voters of the territory embraced within the limits of said district voting at an election to be specially called and held for the purpose, or at a regular town meeting, not later than 3 months after the approval of this act. Such special election shall be called, advertised

and conducted according to the law relating to municipal elections, provided, however, that the board of registration in said town of Jonesport shall not be required to prepare for posting, or the town clerk to post, a new list of voters, and for the purpose of registration of voters, said board shall be in session the 3 secular days next preceding such elections, the first 2 days thereof to be devoted to registration of voters, and the last day to enable the board to verify the corrections of said lists and to complete and close up their records of said sessions. The town clerk shall reduce the subject matter of this act to the following: "Shall the act to incorporate the Town of Jonesport School District be accepted?" and the voters shall indicate by a cross over the words "Yes" or "No" their opinion of the same. The result in said district shall be declared by the municipal officers of the town of Jonesport and due certificate filed by the town clerk with the secretary of state.

Emergency clause. In view of the emergency created as recited in the preamble this act shall take effect when approved.