

MAINE STATE LEGISLATURE

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E I G H T Y - N I N T H L E G I S L A T U R E

Legislative Document

No. 489

H. P. 1170

House of Representatives, February 7, 1939.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Good of Monticello.

S T A T E O F M A I N E

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-NINE

AN ACT to Incorporate the Town of Monticello School District.

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

P. & S. L., 1933, c. 104, amended. Chapter 104 of the private and special laws of 1933 is hereby repealed, and the following is enacted in place thereof :

'Sec. 1. Incorporation; name; purposes. The town of Monticello in Aroostook county, 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 Monticello School District" for the purpose of providing additional school facilities within said district and for the purpose of completing, grading, furnishing, re-building, renovating and otherwise bettering the condition of any, or all, buildings within said town used for school purposes, or which may hereafter be used for school purposes, all as hereinafter provided, and for the benefit of the inhabitants of said district.'

'Sec. 2. Conveyance of Monticello grade and high school property; majority vote required. The town of Monticello is hereby authorized to convey to said "Town of Monticello School District" any land and the buildings thereon now being used or having been designated for use for school purposes.

Before conveying as aforesaid, the municipal officers shall be duly authorized to make such conveyance or conveyances by a majority vote of the legal voters of said town at a regular meeting, or at any special meeting called for that purpose. Said "Town of Monticello School District" is hereby authorized and empowered by action of its trustees to accept from the town of Monticello the conveyance or conveyances as above stated.'

'Sec. 3. Trustees; how chosen; organization; compensation. All 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 except as hereinafter provided for. Said trustees shall be chosen by the municipal officers of the town of Monticello as soon as may be after the passage of this act as hereinafter provided. Removal from the town of Monticello 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 Monticello 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 Monticello 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 Monticello 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 doings, 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 notes and bonds. To procure funds for the purpose 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 \$25,000. Each bond shall have inscribed upon its face the words "Town of Monticello School District" and shall bear interest at such rates as the trustees shall determine, payable semi-annually. Said bonds shall be issued to mature serially over a period beginning in 1945 and terminating not later than 1977. Terms and conditions of any such bond issue within the limits herein prescribed shall be wholly within the discretion of the trustees. All notes or bonds issued by 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 Monticello 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 in the same form as the warrant of the state treasurer for taxes, with proper changes, to the assessors of the town of Monticello, 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 town of Monticello, who shall have all and the same authority and powers to collect said taxes as is vested by 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 district. In the 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 before said 31st day of December of the year in which said tax is so levied, the treasurer of said district may issue his warranty for the amount of said tax or so much thereof as shall then remain unpaid, to the sheriff of the Aroostook 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 said warrant except as is otherwise provided herein. The same authority as is vested in county officials for the collection of 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 time as the purposes of this act as set forth in section 1 hereof have been accomplished and the building, or buildings, which may have been conveyed as herein provided, are equipped and occupied by students of said district, and the board of trustees of the 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 committee of the town of Monticello or such other board as may at that time, have jurisdiction over similar school property, and the then president and treasurer shall cause to be executed, signed and delivered, a good and sufficient deed of all the property in said district, to the town of Monticello. 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 town treasurer of Monticello. 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 Monticello to be expended as hereinbefore provided.'

'Sec. 7. Act subject to referendum. This act shall not take effect unless accepted and approved by a majority vote of the legal voters of the town of Monticello taken at a regular town meeting or at any special meeting called for that purpose. The article in the warrant for such regular town meeting or such special town meeting shall read as follows: "To see if the town will vote to accept an act to incorporate the Town of Monticello School District." The result of said election shall be declared by the municipal officers of the town of Monticello and due certificate filed by the town clerk with the secretary of state.'