

MAINE STATE LEGISLATURE

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SPECIAL SESSION

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. 1240

H. P. 2267

House of Representatives, June 5, 1940.

Reported by Mr. Dow from Committee on Legal Affairs and ordered printed under the joint rules.

HARVEY R. PEASE, Clerk.

Presented by Mr. Good of Monticello.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY

AN ACT to Incorporate the Town of Bridgewater School District.

Emergency preamble. Whereas, the building and contents thereof accommodating the high school pupils and elementary school consisting of the seventh and eighth grades in the town of Bridgewater were burned on March 1, 1940 and there are no present accommodations for the pupils of these schools, therefore jeopardizing welfare of said pupils; and

Whereas, the inhabitants of the town of Bridgewater are in immediate need of a suitable building for the purpose of maintaining a high school and elementary grades in said town for the purpose of protecting the health and safety of said pupils; and

Whereas, if the following bill is enacted it is contemplated to erect such a building immediately; and

Whereas, it is further contemplated to apply to the Works Progress Administration for a project for the construction of said building; and

Whereas, in the judgment of the legislature, these facts create an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine and require the following legislation as immediately necessary for the preservation of public peace, health and safety; now, therefore,

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

Sec. 1. Incorporation; name; purposes. The territory within the limits of the town of Bridgewater in Aroostook county, 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 Bridgewater School District" for the purpose of providing additional school facilities within said district and for the purpose of erecting, completing, grading, furnishing, rebuilding, 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, with the right to lease or let said property, all as hereinafter provided, and for the benefit of the inhabitants of said district.

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

Before conveying or giving as aforesaid, the municipal officers shall be duly authorized to make such conveyance or conveyances or gifts 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 Bridgewater School District" is hereby authorized and empowered by action of its trustees to accept from the town of Bridgewater the conveyance or conveyances or gifts 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 Bridgewater as soon as may be after the passage of this act as hereinafter provided. The members of the first board shall be chosen for the following terms of office: 1 to serve for the remainder of the current municipal year; another for the remainder of this and the next municipal year; another for this and the next ensuing 2 municipal years; another for this and the next ensuing 3 municipal years; and another for this and the next ensuing 4 municipal years. At the expiration of the term of office of any trustee, his successor shall be appointed by the municipal officers of Bridgewater to serve for a term of 5 years. Removal from the town of Bridgewater by any trustee shall ipso facto vacate his office. Vacancies upon the board of trustees occurring because of expiration of the official term, removal from

town, resignation, death or any cause shall be filled by the municipal officers of the town of Bridgewater for the remainder of the unexpired term.

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. 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, annually at the beginning of each municipal year, shall elect their necessary officers.

The trustees shall serve without compensation except the treasurer shall for his services receive 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 buildings, 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 Bridgewater 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.

A sinking fund may be established by the trustees of said district for the purpose of redeeming its note and/or bonds when they become due, which

may be deposited in a savings bank within the state or may be invested in any United States government bonds, state bonds or bonds of any political subdivision thereof as the trustees may determine. Whenever any bonds issued by said district become due or can be purchased by said trustees on favorable terms, said trustees shall, if sufficient funds have accumulated in said sinking fund, redeem or purchase said bonds and cancel them. In no case shall bonds so cancelled be re-issued.

Sec. 5. Trustees to issue warrant to meet obligations. The trustees of the "Town of Bridgewater School District" shall annually determine the sum required each year to provide for meeting 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 treasurer of state for taxes, with proper changes, to the assessors of the town of Bridgewater, 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 Bridgewater, who shall have all 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 Bridgewater 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 Bridgewater. All money, if any, remaining in the treasury of the board of trustees at the time it ceases to function, shall be turned over to the town treasurer of Bridgewater. 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 Bridgewater to be expended as hereinbefore provided.

Sec. 7. Operative date of act; referendum. This act shall become operative when accepted and approved at a meeting of the legal voters of the territory embraced within the limits of said district, specially called and held for the purpose not later than 90 days 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 Bridgewater 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 election, 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 question, "Shall the act to incorporate the Town of Bridgewater School District be accepted," which question shall be inserted in the warrant. The vote may be taken viva voce or in any other manner agreeable to the meeting. If a majority of those present and voting shall vote on said question in the affirmative this act shall be considered accepted and approved. The result of the vote in said district shall be declared by the municipal officers of the town of Bridgewater and certificate thereof filed by the town clerk with the secretary of state. So much of this act as is necessary to permit its acceptance or rejection by the legal voters of the town of Bridgewater as provided herein shall take effect on its approval by the governor.

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