

MAINE STATE LEGISLATURE

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N I N E T Y - S E C O N D L E G I S L A T U R E

Legislative Document

No. 912

H. P. 1269

House of Representatives, February 16, 1945.

Transmitted by revisor of statutes pursuant to joint order

Referred to Committee on Education. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Donahue of Biddeford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-FIVE

AN ACT Relating to Voluntary School Unions.

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

Sec. 1. R. S., c. 37, § 68, repealed and replaced. Section 68 of chapter 37 of the revised statutes is hereby repealed and the following enacted in place thereof:

‘Sec. 68. School committees of 2 or more towns may unite in employment of superintendent; proviso as to number of schools; union shall continue for 3 years. The superintending school committees of 2 or more towns, having under their care and custody an aggregate of not less than 20, nor more than 50 schools, may unite in the employment of a superintendent of schools, provided they have been so authorized by a vote of their towns at the regular town meetings, or special town meetings called for that purpose. Provided further, that such union shall not take effect until the commissioner shall have approved the certificate of union as hereinafter provided; the committee of any town dissatisfied with the decision of the commissioner may appeal to the governor and council who shall make the final decision relative thereto. Provided further, that whenever it appears to the commissioner, upon the representation of the school committees of certain towns that, owing to geographical situation or other

reasons it is to the advantage of the state and of the said towns that a union shall include fewer than 20 or more than 50 schools, said commissioner may approve the certificate of such union, and a union so formed shall, except for the number of schools, be governed by the conditions herein prescribed for unions of towns. A union of towns formed under the provisions of this section shall upon its first organization continue for a period of at least 3 years unless sooner dissolved by a $\frac{2}{3}$ vote of the joint committee, but after the expiration of said 3-year period any of the towns forming said union may at its annual meeting withdraw from said union and the remaining members may continue a union in accordance with the conditions herein prescribed as to the number of schools and upon the approval of a new certificate of union by the commissioner. The joint committee of any union of towns may admit to said union any town or towns which have voted to join the said union; but such admission shall be subject to the conditions herein prescribed as to the number of schools and upon the approval of a new certificate of union by the commissioner.'

Sec. 2. R. S., c. 37, § 69, repealed. Section 69 of chapter 37 of the revised statutes is hereby repealed.

Sec. 3. R. S., c. 37, § 70, repealed and replaced. Section 70 of chapter 37 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Sec. 70. Joint superintending school committees; annual meetings; organization; duties; choice of superintendent. The superintending school committees of the towns composing a union shall form a joint committee, and for the purposes of this section and the 2 following sections, said joint committee shall be held to be the agents of each town composing the union. Said joint committee shall meet annually at a day and place agreed upon by the chairmen of the committees of the several towns composing the union, and shall organize by the choice of a chairman and a secretary. They shall determine the relative amount of service to be performed by the superintendent in each town, including the minimum number of visits to be made each term to each school, fix his salary, apportion the amounts thereof to be paid by the several towns, which amounts shall be certified to the treasurers of said towns, respectively, and to the commissioner, together with the amount apportioned to each town; provided, that the amount so certified shall be in proportion to the amount of service performed in the several towns. They shall choose by ballot a superintendent of schools for a term not exceeding 5 years, but the period of such election

shall not exceed that for which the union of towns has been authorized. This section, so far as it relates to the manner of election or employment of superintendents of schools, shall not apply to cities, nor to towns authorized by special laws to employ or choose superintendents in a manner otherwise than herein provided.'

Sec. 4. R. S., c. 37, § 71, repealed and replaced. Section 71 of chapter 37 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Sec. 71. Certificate as to election of superintendent; state aid. The chairman and secretary of said joint committee shall, upon the election of a superintendent of schools as provided by the preceding section, certify under oath to the commissioner, upon the forms prescribed by him, all facts relative to said union and employment of a superintendent. Annually upon the 1st day of April and whenever a new superintendent is chosen said chairman and secretary shall make return of a similar certificate. Upon approval of said certificate the superintendent so employed shall, on presentation of proper vouchers, receive monthly out of the sum appropriated for superintendence of towns composing school unions and out of any moneys in the treasury not otherwise appropriated a sum equal to twice the aggregate sum paid by the towns composing the union, provided that the amount so paid for the benefit of a single union of towns shall not exceed \$3,000 in 1 year, and provided further, that the annual appropriation for payments hereunder shall be deducted from state school funds.'

Sec. 5. R. S., c. 37, § 72, repealed and replaced. Section 72 of chapter 37 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Sec. 72. Superintendent of more than 50 schools; state aid. Whenever the chairman and secretary of school committees of towns and cities, having under their care and custody an aggregate of more than 50 schools, shall certify under oath to the commissioner, in the form prescribed by him, that a superintendent of schools has been employed by them for 1 year, and the salary that he has received, then upon the approval of said certificate by the commissioner and presentation to the governor and council, a warrant shall be drawn upon the treasurer of state for the payment to the treasurer of that town or city, of a sum equal to $\frac{3}{5}$ the amount expended by said town or city for said superintendence; provided that the amount so paid for the benefit of a single town or city shall not exceed \$2,000 in 1 year.'