

MAINE STATE LEGISLATURE

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

Legislative Document

No. 503

H. P. 847

House of Representatives, February 5, 1947.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Curtis of Bowdoinham.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-SEVEN

AN ACT to Incorporate the Georgetown School District.

Emergency preamble. Whereas the two one-room schoolhouses which house the school pupils of the town of Georgetown are entirely inadequate for school purposes, are dilapidated, outmoded and unsanitary; and

Whereas, it is imperative that action be taken as soon as spring weather permits construction, to relieve this insufferable condition; and

Whereas it will be impossible to raise the necessary finances by borrowing unless a school district is created; and

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

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

Sec. 1. Subject to the provisions of section 6 hereof, the inhabitants of the town of Georgetown shall constitute a body politic and corporate under the name of the "Georgetown School District" for the purpose of acquiring land within the said town for school purposes; erecting, equipping and

maintaining on said land a school building; and for the purpose of maintaining a school, with the right to lease or let said property to said town; all for the benefit of the inhabitants of said town. The property of said district, wherever located, shall be exempt from taxation.

Sec. 2. All the affairs of said district shall be managed by a board of 3 trustees, resident therein, who shall be elected by ballot of the persons therein qualified to vote in town meetings. They shall hold office for the term of 3 years and until their respective successors are chosen and qualified, except, however, as herein provided. Vacancies shall be filled for the unexpired term.

The first board of trustees shall be elected at the meeting called for the acceptance of this act, 1 to serve until the first annual meeting of the district, 1 until the second and 1 until the third such meeting. Thereafterward, 1 member shall be chosen at each annual meeting to serve for the term of 3 years. If a vacancy occurs in said board more than 3 months before the date of the next succeeding annual meeting, a special meeting shall be called to fill the vacancy and all vacancies existing at the date of an annual meeting shall then be filled.

As soon as convenient after said first election the trustees shall hold a meeting at some convenient place in the district to be called by any member thereof in writing designating the time and place and delivered in hand to the other 2 members not less than 2 full days before the meeting; provided, however, that they may meet by agreement without such notice. They shall then organize by the election of a chairman, treasurer and clerk from their own number, adopt a corporate seal and by-laws and perform any other acts within the powers delegated to them by law. 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 may 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 chairman. 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 said 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. 3. How financed. 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 said district is hereby authorized to issue its bonds and notes, but shall not incur a total indebtedness exceeding the sum of \$40,000. Each bond shall have inscribed upon its face the words: "Georgetown School District" and shall bear interest at such rates as the trustees shall determine, payable semiannually. Said bonds may be issued to mature serially or made to run for such periods as said trustees may determine, but none of which shall run for a longer period than 30 years. All notes or bonds issued by said district shall be signed by the treasurer and countersigned by the chairman of the district, and if coupon bonds be issued, each coupon shall be attested by a facsimile signature of the chairman and treasurer printed thereon. The treasurer shall give bond to the district in such sum and with such sureties as said trustees may determine, which bond shall remain in the custody of the chairman. The expenses of said bond shall be paid by the district. All bonds of the said district hereinafter issued under the terms of this act shall be legal for savings banks.

Sec. 4. Sinking fund. In case said bonds are made to run for a period of years a sinking fund shall be established by the trustees of said district for the purpose of redeeming said bonds when they become due, and not less than 2% of the total cost of the school building and its appurtenances, and the expenses incidental to the carrying out of the purposes of this act shall be added to said sinking fund each year, which may be deposited in a savings bank within the state or may be invested in any United States government bonds, state bonds or the 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 or redeemed be reissued. In case the amount in the sinking fund shall not be sufficient to pay the total amount of the bonds falling due at any one time, authority to issue new bonds sufficient to redeem so many of said bonds, as cannot be redeemed from the sinking fund is hereby granted to said district but in no case shall new bonds run beyond 30 years from the date of the original issue.

Sec. 5. Provisions for sinking fund. The trustees of the "Georgetown School District" shall determine the sum to be paid annually into the sinking fund, or if the bonds authorized by this act shall be issued to mature serially what amount is required each year to meet the bonds falling due, and what sum is required each year to meet the interest on said bonds or other obligations, and other necessary expenses in 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 Georgetown, 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 said town of Georgetown, who shall have all 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 the 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 said district may issue his warrant for the amount of said tax or so much thereof as shall then remain unpaid, to the sheriff of Sagadahoc 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 law, is hereby vested in the trustees of said district in relation to the collection of taxes within said district.

Sec. 6. Provisions for termination of the board of trustees. At such time as the school building shall have been completed, equipped, and occupied by pupils 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 shall revert to the school board of the town of Georgetown or such other board as may, at that time, have jurisdiction over similar school property, and the then chairman 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 Georgetown. 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 the town of Georgetown. 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 Georgetown to be expended as hereinbefore stated.

Sec. 7. Emergency clause; effective date of act; referendum. In view of the emergency recited in the preamble hereof this act shall take effect 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 4 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 Georgetown 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 1st 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 Georgetown 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 Georgetown and certificate thereof filed by the town clerk with the secretary of state.

Sec. 8. The annual meeting of the district shall be held in the district on the first Monday in March in each year at such hour and place as may be designated by resolution of the board of trustees as provided in the by-laws. Notice thereof, signed by the chairman or clerk of the board, shall be conspicuously posted in 2 public places within the district, not less than 7 days before the meeting. Special meetings may be called by the board in like manner at any time, and notice of special meetings shall state the business to be transacted thereat. Eleven persons qualified to vote in such meetings shall constitute a quorum. If for any reason an annual meeting is not held on the above date, a meeting in lieu thereof may be called in like manner to be held within 3 months from said date.

All persons resident in said district and qualified to vote for governor under the laws of this state shall be entitled to vote in any meeting of this district, including the meeting for acceptance of this charter.

Sec. 9. After the meeting for acceptance of this charter, the trustees shall have the same powers and perform the same duties as otherwise are exercised and performed by the selectmen of towns in correcting and preparing lists of the persons qualified to vote in said district, and for that purpose they shall be in session at the office of the school district between the hours of 10 o'clock A. M. and 12 o'clock M. of the secular day next preceding the date of every meeting; and 2 hours next before the opening of the meeting; and notice thereof shall be given in the call for the meeting. All meetings of the district shall be presided over by a moderator chosen in the same manner and with the same authority as moderators for town meetings.