

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 947**

H. P. 1279

House of Representatives, February 14, 1947.

Transmitted to revisor of statutes pursuant to joint order

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Jennings of Strong.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-SEVEN

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**AN ACT to Incorporate the Town of Strong School District.**

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

**Sec. 1. Town of Strong School District, incorporated.** Subject to the provisions of sections 7 and 8 hereof, the inhabitants of the town of Strong shall constitute a body politic and corporate under the name of the "Town of Strong School District" for the following purposes: of acquiring land within the said town for school purposes; of erecting, equipping and maintaining on said land a school building and gymnasium for all grades of the public school system; and for leasing or letting said property to said town; all for the benefit of the inhabitants of said town.

**Sec. 2. How managed.** All the affairs of said district, as are herein provided, shall be managed by a board of trustees composed of 5 members who shall be appointed as is hereinafter provided.

**Sec. 3. Board of trustees, how appointed; terms; reports.** The trustees shall be appointed by the municipal officers of the town of Strong. Of the first board of trustees appointed one shall hold office for 1 year, one shall hold office for 2 years, one shall hold office for 3 years, one shall hold office for 4 years and one shall hold office for 5 years. All appointed thereafter shall be for the full term of 5 years. In case any member of the

board of trustees shall resign, cease to be a resident of the town of Strong or become deceased the municipal officers shall forthwith declare that a vacancy exists, which vacancy shall be filled for the remainder of the unexpired term. The first board of trustees shall be appointed within 30 days from the effective date of this act. The board of trustees shall hold a meeting within 15 days from the date of appointment at which meeting they shall organize by the election from their own membership of a president, clerk and treasurer, adopt a corporate seal and may employ all needful officers and agents for the proper conduct and management of the affairs of the district and annually thereafter at the beginning of each municipal year the trustees shall organize as hereinbefore provided. No member, except the treasurer, shall receive compensation for his services and the treasurer shall receive in full compensation for his services an amount to be fixed by the municipal officers of the said town of Strong and such salary and all expenses of the district shall be paid from the funds of the district. At the close of each 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 gymnasium, 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. How financed.** The board of trustees is authorized to accept grants, gifts, bequests or donations whether given in the past or to be given in the future and apply the same to or accept the same for the particular purposes specified by the grant, gift, bequest or donation or if no such specification is made to apply the same to the general purposes of this act together with such amounts as have been appropriated or may be appropriated by the town for the purposes of this act. To procure funds for the purpose of this act and such other expense as may be necessary to the carrying out of said purposes, the said district is hereby authorized to issue its bonds and notes. Each bond shall have inscribed upon its face the words: "Town of Strong School District" and shall bear interest at such rates as the trustees shall determine, payable semi-annually. 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 25 years. 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. 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 president. The expenses of said bond, shall be paid by the district.

**Sec. 5. 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 gymnasium and their 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 25 years from the date of the original issue.

**Sec. 6. Provisions for sinking fund.** The trustees of the "Town of Strong 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 treasurer of state for taxes, with proper changes, to the assessors of the town of Strong, 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 Strong, 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 Franklin 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 the 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. 7. Provisions for termination of the board of trustees.** At such time as the school building and gymnasium 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 Strong 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 Strong. All moneys, if any be remaining in the treasury of the board of trustees at the time it ceases to function, shall be paid over to the town treasurer of the town of Strong. This money shall be used only for school purposes and shall be kept separate from all other money until its expenditure is authorized by the selectmen of the town of Strong as hereinbefore provided for.

**Sec. 8. 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 town of Strong, voting at an annual election or one specially called and held for the purpose, not later than 4 months after the approval of this act. Such 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 Strong 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 such sessions. The town clerk shall reduce the subject matter of this act to the following question: "Shall the act to incorporate the Town of Strong School District be accepted?" and the

voters shall indicate by a cross placed 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 Strong and due certificate filed by the town clerk with the secretary of state.