

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. 1088

H. P. 1487

House of Representatives, February 25, 1947.

Transmitted by 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. Brewer of Presque Isle.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-SEVEN

AN ACT to Incorporate the Presque Isle School District.

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

Sec. 1. Presque Isle School District, incorporated. Subject to the provisions of section 8 hereof, the inhabitants and territory within the city of Presque Isle are hereby created a body politic and corporate under the name of "Presque Isle School District" for the purpose of acquiring property within the said city for school purposes, erecting on said property a school building, as is hereinafter provided, for the benefit of the inhabitants thereof.

Sec. 2. Trustees, powers and duties; limitations. All the affairs of said district, which shall consist solely of performing the purposes above set forth, shall be managed by a board of 3 trustees, which shall be appointed as hereinafter provided. In no case shall said trustees expend money or contract for the expenditure of money in excess of the amount of the bond issue authorized in section 4 hereof. All contracts for the expenditures of amounts in excess of \$10,000 shall be submitted to the council of the city of Presque Isle and approved before becoming operative.

Sec. 3. Trustees, how selected; tenure of office; organization of board; offices; vacancies; annual report. The trustees appointed shall be chosen by the municipal officers of the city of Presque Isle, but no member of the city council shall, during the term for which he is elected, be chosen one of said board of trustees. For the purpose of termination of office and making accounts the trustees shall use a calendar year. As soon as convenient after the commencement of their term of office the trustees shall hold a meeting, to be called by one of the trustees upon such reasonable notice therefor as he may deem proper. They shall organize by the election from their own membership of a chairman, clerk and treasurer, and annually thereafter at the beginning of each municipal year the trustees shall organize as hereinafter provided. The trustees so appointed shall serve for a term of 3 years and until their successors are appointed and qualified; except that at the 1st election 1 trustee shall be appointed for a term of 3 years, 1 trustee shall be appointed for a term of 2 years and 1 trustee shall be appointed for a term of 1 year. Thereafter there shall be appointed annually 1 member to fill the office of the trustee whose term of office expires that year, and in case any other vacancy arises it shall be filled in like manner for the unexpired term. When any trustee ceases to be a resident of said district, he vacates the office of trustee, and the vacancy shall be filled as aforesaid. All such trustees may ordain and establish such by-laws, not inconsistent with the laws of the state, as are necessary for their own convenience and the proper management of the affairs of said 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 \$150 per year. 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 such bond shall be paid by the district. At the close of each year the trustees shall make a detailed report of their doings, and of the financial condition of said district, also all 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. Such report shall be made and filed with the municipal officers of the city of Presque Isle at the end of each year.

Sec. 4. Bond issue authorized; bonds legal investment for savings bank. To procure funds for the purposes of this act the said district is hereby authorized to issue its bonds and notes to an amount not exceeding the sum of \$350,000. Each bond shall have inscribed upon its face the words "Presque Isle 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 with call provision as said trustees may determine, but none of which shall run for a longer period than 25 years. All the aforesaid 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. Said notes and bonds shall be legal obligations of said district, which is hereby declared to be a quasi-municipal corporation within the meaning of section 132 of chapter 49 of the revised statutes and all the provisions of said section shall be applicable thereto. The said notes and bonds shall be legal investments for savings banks.

Sec. 5. Sinking fund; refunding bonds provided for. 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 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 any savings or national 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 original issue.

Sec. 6. Assessment of taxes authorized to meet indebtedness; how collected; procedure. The trustees of the Presque Isle 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 interest on said bonds 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 city of Presque Isle, 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 city of Presque Isle, 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 district may issue his warrant for the amount of said tax, or so much thereof as shall then remain unpaid, to the sheriff of 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. 7. Provision 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 city of Presque Isle or such other board as may, at that time, have jurisdiction over similiar 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 city of Presque Isle. 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 city treasurer of the city of Presque Isle.

Sec. 8. Local referendum provided for; form of question; certificate to secretary of state. 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 within said district, voting at an election called and held for the purpose at the time of the annual municipal election, by the municipal officers of the city of Presque Isle; the city clerk shall reduce the subject of this act to the following question: "Shall the act to incorporate the Presque Isle School District be accepted?" and the voters shall indicate by a cross placed against the words "yes" or "no" their opinion of the same. The result shall be declared by the chairman of the city council and due certificate thereof filed with the secretary of state by the clerk of said city.