

MAINE STATE LEGISLATURE

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NINETY - EIGHTH LEGISLATURE

Legislative Document

No. 173

H. P. 135

House of Representatives, January 23, 1957.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Foss of Chapman.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

AN ACT Relating to Castle Hill-Chapman-Mapleton Community School District.

Emergency preamble. Whereas, the high school building of the town of Mapleton, heretofore used by the Castle Hill-Chapman-Mapleton Community School District, has been destroyed by fire, and as a result thereof said district is without adequate school facilities; and

Whereas, said district has not sufficient authority to finance a new building; and

Whereas, the district has no other means of providing adequate school facilities; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. P. & S. L., 1947, c. 110, § 1, amended. Section 1 of chapter 110 of the private and special laws of 1947 is hereby amended to read as follows:

'Sec. 1. Territorial limits; name; purpose. The territory comprising the towns of Castle Hill, Chapman and Mapleton and the people therein shall constitute a body politic and incorporate under the name of "Castle Hill-Chapman-Mapleton Community School District" for the purpose of acquiring land within the said ~~towns~~ district for school and other educational purposes; for the purpose of erecting, enlarging, repairing, equipping, and maintaining on said property a school building or buildings and related physical educational facilities;

for the purpose of completing, grading, furnishing, rebuilding, renovation, and otherwise bettering the condition of any or all land or buildings within said ~~towns~~ district for the use of school purposes or which may hereafter be used for school purposes.

That part of the town of Chapman which lies east of Presque Isle Stream is hereby excluded from the Castle Hill-Chapman-Mapleton Community School District, but this shall not affect the rights of the holders of the bonds of the district now outstanding or impair the obligation of other existing contracts of the district.'

Sec. 2. P. & S. L., 1947, c. 110, § 3, amended. Section 3 of chapter 110 of the private and special laws of 1947 is hereby amended by adding at the end thereof a new paragraph, to read as follows:

'After the 1957 annual town meeting, Chapman shall have only one member on the community school committee. The term of office of the present members from Chapman shall terminate at the 1957 annual town meeting. The member from Chapman shall be elected at the regular town meeting in 1957 and in each 3rd year thereafter to serve for a period of 3 years.'

Sec. 3. P. & S. L., 1947, c. 110, § 4, amended. Section 4 of chapter 110 of the private and special laws of 1947 is hereby amended to read as follows:

'Sec. 4. Scholastic powers and duties of the community school committee. The community school committee of the Castle Hill-Chapman-Mapleton Community School District shall have the same powers to operate and control schools in ~~Castle Hill, Chapman and Mapleton~~ said district as are vested in the superintending school committees by virtue of the laws relating to public schools of Maine.'

Sec. 4. P. & S. L., 1947, c. 110, § 5, amended. The first 6 sentences of section 5 of chapter 110 of the private and special laws of 1947, as amended by chapter 108 of the private and special laws of 1949, are hereby further amended to read as follows:

'To provide funds for the purpose of this act the community school committee is hereby empowered to issue bonds and notes either for purchasing of land, equipment, constructing, repairing, renewing or operational purposes. In no case shall said bonds or notes be issued for a longer period than ~~25~~ 20 years nor for a sum larger than ~~\$80,000~~ \$400,000 outstanding at any one time, and whenever the outstanding bonds or notes shall be less than that amount, additional bonds or notes may be issued to an amount which together with those outstanding shall not exceed \$400,000. Each bond and note shall have inscribed upon its face the words "Castle Hill-Chapman-Mapleton Community School District," shall bear interest at such rates as the community school committee shall determine, payable semiannually, and shall be subject to such other provisions as the community school committee shall determine. Said bonds and notes may be issued to mature serially or made to run for such periods as said community school committee may determine, but none of which shall run for a longer period than ~~25~~ 20 years from the date of original issue thereof. All bonds and notes issued by said district shall be signed by the treasurer and countersigned by the chair-

man of said district, and if coupon bonds be issued, each coupon shall be attested by the facsimile ~~signatures~~ signature of the ~~chairman and~~ treasurer printed thereon. All bonds and notes issued by said district shall be callable at any interest date.'

Sec. 5. P. & S. L., 1947, c. 110, § 6, amended. The last paragraph of section 6 of chapter 110 of the private and special laws of 1947 is hereby amended to read as follows:

'In case the amount in any sinking fund shall not be sufficient to pay the total amount when due of the bonds or notes for which such sinking fund was provided ~~or in case it shall become desirable in the opinion of the community school committee to call for redemption any outstanding bonds or notes and to issue new bonds or notes in their stead~~ authority is hereby granted to said district to issue new bonds or notes sufficient in amount to pay or redeem so many of said original bonds or notes as cannot be paid or redeemed from the sinking fund provided therefor, if any, but in no case shall such new bonds or notes mature more than 20 years from the original date of issue of the original bonds or notes so refunded.'

Sec. 6. P. & S. L., 1947, c. 110, § 8, amended. Section 8 of chapter 110 of the private and special laws of 1947 is hereby amended to read as follows:

'**Sec. 8. Limitation of powers of community school committee.** In regard to electing a superintendent of schools, the community school committee shall not act as a board but shall act as individuals representing their respective towns; in which case, the members from Mapleton shall have 1 vote each and the members from Castle Hill and Chapman shall have 1½ votes to each member and the member from Chapman shall have one vote.'

Sec. 7. P. & S. L., 1947, c. 110, § 9, repealed and replaced. Section 9 of chapter 110 of the private and special laws of 1947 is hereby repealed and the following enacted in place thereof:

'**Sec. 9. Capital contributions.** The annual requirements of the district for capital outlay, including provision for the principal and interest of bonds and notes issued for capital purposes, shall be apportioned by the community school district in issuing their warrants to the assessors under the provisions of section 7, in the proportions which the then last State valuations of Mapleton, Castle Hill, and that part of Chapman situated west of the Presque Isle Stream, respectively, bear to the sum of such valuations; except that for provision for principal and interest of bonds and notes now outstanding, for each dollar that Chapman contributes, Castle Hill shall contribute \$4 and Mapleton \$7. In making the apportionment above prescribed, the State valuation of that part of Chapman west of the Presque Isle Stream shall be deemed to be that proportion of the State valuation of Chapman which the then last local assessed valuation of that part of Chapman west of the Presque Isle Stream bears to the then last local assessed valuation of Chapman.'

Sec. 8. P. & S. L., 1947, c. 110, § 12-A, additional. Chapter 110 of the private and special laws of 1947, as amended, is hereby further amended by adding thereto a new section, to be numbered 12-A, to read as follows:

'Sec. 12-A. Purchase of Mapleton school property. Said district, acting by its community school committee, may purchase from the town of Mapleton all or any part of said town's school land, agricultural shop and school equipment upon such terms as may be agreed upon.'

Sec. 9. P. & S. L., 1947, c. 110, § 13, amended. Section 13 of chapter 110 of the private and special laws of 1947 is hereby amended to read as follows:

'Sec. 13. Provisions for termination of school district. When any one town decides to withdraw from this school district, it must decide affirmatively to do so by a majority of the legal voters in said town in a special town meeting called for that purpose, and by giving the remaining town or towns a 2 years' notice of their intent to withdraw; provided ~~the withdrawing town may claim and demand its proportional share of its capital investment according to section 9 plus its proportional unexpended operational balances from the school maintenance, repair, vocational education, insurance and equipment accounts as mentioned in section 11~~ such withdrawal shall not relieve the withdrawing town from its obligation to make capital contributions required for the payment of bonds or notes and interest thereon or other obligations of the district incurred for capital purposes and then outstanding, or otherwise affect the rights of the holders of bonds or notes of the district then outstanding, or impair the obligation of other then existing contracts of the district.'

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