

# MAINE STATE LEGISLATURE

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# Acts and Resolves

As Passed by the

## Seventy-Eighth Legislature

OF THE

# STATE OF MAINE

1917

Including Acts and Resolves of the Special Session of the  
Seventy-Seventh Legislature held in 1916.

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Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

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THE LEWISTON JOURNAL CO.  
LEWISTON, MAINE  
1917

**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Seventy-Eighth Legislature

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ury not otherwise appropriated and from the proceeds of any bonds and or notes issued under the provisions of this act to be expended under the direction of the governor with the advice and consent of the council in defraying the expenses incurred in carrying out the purposes of this act.

**Sec. 3. Interest, how met.** Interest due or accruing upon any bonds and or notes issued under the provisions of this act shall be paid by the treasurer of state from any money in the state treasury not otherwise appropriated, and or from the state contingent fund upon warrants drawn by the governor and council therefor.

**Sec. 4. Emergency clause.** In view of the emergency cited in the preamble hereof this act shall take effect when approved.

Approved April 3, 1917.

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## Chapter 188.

An Act to Amend Sections Fifty-five, Fifty-six, Fifty-seven, Fifty-eight, Fifty-nine, Sixty-one and Sixty-two of Chapter Sixteen of the Revised Statutes, to Provide for the Formation of Unions for the Employment of Superintendents of Schools.

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

**Sec. 1. R. S., c. 16, § 55, relating to school supervisory unions, amended.** Section fifty-five of chapter sixteen of the revised statutes is hereby amended by striking out all of said section and inserting in place thereof the following, so that said section when amended shall read as follows:

**‘Sec. 55. I. All towns to be combined by state superintendent for purposes of supervision, on or before Jan. 1, 1918. Aggrieved school committees may appeal to governor and council.** It shall be the duty of the state superintendent of public schools on or before the first day of January, nineteen hundred eighteen, to combine all the towns of the state, except as herein provided, into unions for the purpose of employing superintendents of schools. Such supervisory unions as shall have been formed prior to said date may be dissolved by the state superintendent of public schools for the purpose of more advantageous combination. Provided, however, that any superintending school committee of a town dissatisfied with the combination proposed by the state superintendent of public schools to include that town may appeal to the governor and council who shall make the final decision relative thereto. The unions formed under the provisions of this act shall be effective July first, nineteen hundred eighteen. Whenever, upon the representation of the superintending school committee of any town, it shall appear to the state superintendent of public schools to be to the advantage of said town and of the state to change the combination of towns composing the union of which said town is a part, the said state superintendent of public schools shall have authority to direct the dissolution and organization of unions so that a more advantageous combination may be effected. Provided, however, that any superintending school committee of a town dissatisfied with the change in the combination proposed by the state superintendent of

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public schools to include that town may appeal to the governor and council who shall make the final decision relative thereto.

**II. Union to include not less than thirty nor more than fifty schools; proviso.** Any school supervisory union formed under the provisions of this section shall include not less than thirty nor more than fifty schools unless the state superintendent of public schools shall find upon representation of any school committee that owing to geographical situation or other reasons it is to the advantage of the state and of said towns that a union shall include fewer than thirty or more than fifty schools.'

**Sec. 2. R. S., c. 16, § 56, relating to union school committees, organizations, etc.** Section fifty-six of chapter sixteen of the revised statutes is hereby amended by striking out all of said section and inserting in place thereof the following, so that said section when amended shall read as follows:

'**Sec. 56. First meeting to be held upon notification of state superintendent; subsequent meetings. Union superintendent removed for cause. Salary, tenure of office, etc.** The superintending school committees of the towns composing a union shall form a joint committee, and for the purposes of this section and the four following sections, said joint committee shall be held to be the agents of each town composing the union, provided, however, that the superintending school committee of any town may authorize one of its members to act for the committee in the meetings of the joint committee, and in such case, the member so authorized, may cast the votes for the full membership of his committee. Said joint committee upon notification by the state superintendent of public schools shall meet before the first day of July, nineteen hundred eighteen, and in June annually thereafter, at a day and place agreed upon by the chairman of the committees of the several towns composing the union, and shall organize by the choice of a chairman and a secretary. Said joint committee 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 state superintendent of public schools, together with the amounts apportioned to each town, provided, that the amount so certified shall be in proportion to the amount of service performed in the several towns. Said joint committee, at the time of its organization, or as soon thereafter as possible, and whenever a vacancy shall occur, shall choose by ballot a superintendent of schools for a term of not less than one year nor more than five years, provided, however, that said committee, by a two-thirds vote of its full membership, after due notice and investigation, may for cause discharge a superintendent of schools before the expiration of the term for which he was elected, and after such discharge the salary of said superintendent shall cease.'

**Sec. 3. R. S., c. 16, § 57, par. I, relating to certificate as to election of superintendent; state aid, etc., amended.** Paragraph one of section fifty-seven of chapter sixteen of the revised statutes is hereby amended by strik-

ing out the words "Annually upon the first day of April" in the fifth line thereof, and substituting in place thereof the words 'On or before the first day of August, nineteen hundred eighteen, and annually thereafter,' and by striking out the words "and out of any moneys in the treasury not otherwise appropriated" in the tenth and eleventh lines thereof, so that said section when amended shall read as follows :

**'Sec. 57. I. Return to be made on or before Aug. 1st, 1918, and annually thereafter. Union superintendents to be paid out of sum specifically appropriated for that purpose.** 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 state superintendent of public schools, upon the forms prescribed by him, all facts relative to said union and employment of a superintendent. On or before the first day of August, nineteen hundred eighteen, and annually thereafter, 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 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 eight hundred dollars in one year, and provided further, that the annual appropriation for payments hereunder shall be deducted from state school funds.'

**Sec. 4. R. S., c. 16, § 57, par. II, relating to superintendence of more than fifty schools, amended.** Paragraph two of section fifty-seven of chapter sixteen of the revised statutes is hereby amended by striking out all of said paragraph of said section, and substituting therefor the following :

**'II. Towns and cities having fifty schools or over need not unite. Return to be made annually in December. Like regulations to be observed as in unions.** The superintending school committee of a city or town having under its care and custody an aggregate of more than fifty schools may employ a superintendent of schools without uniting with other cities or towns for the purpose. Said superintendent of schools shall be chosen in the same manner and for the same term and may be discharged under the same conditions as superintendents employed under the provisions of section fifty-six. Annually, in the month of December the chairman and secretary of said committee shall certify to the state superintendent of public schools, upon forms prescribed by him, all facts relative to the employment of a superintendent including the amount of his salary received, then upon the approval of said certificate by the state superintendent of public schools 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 two-thirds 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 be at a rate exceeding eight hundred dollars for one year.'

**Sec. 5. R. S., c. 16, § 58, par. I, relating to appropriations for salary of superintendent, amended.** Section fifty-eight of chapter sixteen of the re-

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vised statutes is hereby amended by striking out all of paragraph one of said section and substituting in place thereof the following: 'Towns shall appropriate for the salary of the superintendent of schools their proportion of the sum paid said superintendent to the amount certified by the joint committee to the town treasurer, and said proportion to be paid by any town may be paid out of an appropriation for the salaries of town officers or out of a special appropriation for the purpose or out of both, but it shall not be paid from any appropriation made for the support or maintenance of common schools or high schools,' so that said section when amended shall read as follows:

**'Sec. 58. I. Salary may be paid from appropriation for salary of town officers, not to be paid from school appropriation.** Towns shall appropriate for the salary of the superintendent of schools their proportion of the sum paid said superintendent to the amount certified by the joint committee to the town treasurer, and said proportion to be paid by any town may be paid out of an appropriation for the salaries of town officers or out of a special appropriation for the purpose or out of both, but it shall not be paid from any appropriation made for the support or maintenance of common schools or high schools.

**II. Conference of instruction shall be held.** The state superintendent of public schools shall annually hold a conference for the instruction of superintendents serving under the provisions of the three preceding sections; he may expend not exceeding five hundred dollars out of the appropriation for the superintendence of towns composing school unions, to assist in defraying the mileage expenses of those superintendents who live remote from the place of such conference; but no superintendent shall be entitled to any part of such expenses unless he shall regularly attend all sessions of such conference.'

**Sec. 6. R. S., c. 16, § 59, relating to qualifications of superintendents, etc., amended.** Section fifty-nine of chapter sixteen of the revised statutes is hereby amended by designating said section as paragraph one and striking out the words "upon such examination" in the fourth line thereof, and substituting in place thereof the words 'under such regulations,' and by striking out all of the last sentence of said section so that said section when amended shall read as follows:

**'Sec. 59. I. State superintendent to make regulations under which certificates shall be issued.** Persons employed to serve as superintendents of schools under section fifty-six and section fifty-seven shall hold state certificates of superintendence grade which shall be issued under such regulations as may be prescribed by the state superintendent of public schools; they shall devote their entire time to superintendence in the towns composing the union; provided, however, that they may, without violation of the provisions of this section, perform such educational service outside of the towns of their unions as may be performed with the approval of the state superintendent of public schools and with the consent of the committees employing them.'

**Sec. 7. R. S., c. 16, § 59, relating to powers of superintendents, amended.** Section fifty-nine of chapter sixteen of the revised statutes is hereby further amended by adding the following as paragraph two of said section:

**II. Powers and duties enumerated.** A superintendent of schools employed under the provisions of sections fifty-six and fifty-seven shall have the following powers and duties:

(a) **Secretary ex-officio.** He shall be ex-officio, secretary of the superintending school committee and shall perform such duties not herein enumerated as said committee shall direct.

(b) **Auditor; vouchers to be approved by majority of board.** He shall keep a permanent record of all its votes, orders and proceedings; he shall place all orders for materials and supplies purchased by vote of the committee and shall be its agent in keeping all financial records and accounts. He shall issue vouchers showing the correctness of bills contracted on account of school appropriations, but such bills shall not be allowed for payment by the municipal officers of towns unless they shall have been approved by a majority of the members of the superintending school committee.

(c) **Shall visit the schools; annual report.** He shall examine the schools and inquire into the regulations and discipline thereof, and the proficiency of the pupils, for which purposes he shall visit each school at least the minimum number of times each term which the joint committee may designate. At the annual town meeting, he shall make a written report of the condition of the schools for the past year, with a statement of the condition of school buildings, the proficiency made by the pupils, and the success attending the modes of instruction and government thereof, and transmit a copy to the state superintendent of public schools.

(d) **Shall keep account of finances and report once a term to committee of respective towns.** He shall keep a faithful and accurate account of school finances and he shall report at least once a term in writing to each of the several committees of the supervisory union, including in such report a statement of the condition of the schools, a financial statement, and a statement of the condition of school buildings and outbuildings in the matter of repair, cleanliness and sanitary arrangements.

(e) **Shall nominate teachers; election to be approved by committee.** He shall nominate all teachers subject to such regulations governing salaries and the qualifications of teachers as the superintending school committee shall make, and upon the approval of nominations by said committee he may employ teachers so nominated and approved.

(f) **Shall supervise work of teachers.** He shall direct and supervise the work of all teachers.

(g) **Shall select and purchase text books on approval of committee.** He shall select text books, supplies and apparatus subject to the approval of the superintending school committee and shall make all purchases of the same under such regulations as the superintending school committee shall adopt.

(h) **Shall distribute and account for supplies.** He shall see to it that all necessary apparatus and supplies are seasonably distributed to each school and accurately accounted for and economically used.

(i) **Shall enforce rules of committee.** He shall enforce or cause to be enforced all regulations of the superintending school committee.'



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**Sec. 8. R. S., c. 16, § 61, relating to supervision in remotely situated plantations, amended.** Section sixty-one of chapter sixteen of the revised statutes is hereby amended by inserting after the word "any" in the second line thereof the words 'town or', and by striking out the words "upon the petition of the superintending school committee of said plantation" in the fourth and fifth lines thereof, and by striking out the words "said committee" in the fifth line thereof and inserting in place thereof the words 'the committee of such town or plantation,' and by inserting after the word "townships" in the sixth line thereof the words 'or any other agent of the state superintendent of public schools,' and by inserting after the word "said" in the seventh and tenth lines thereof the words 'town or', so that said section when amended shall read as follows:

**'Sec. 61. Provisions made applicable to remote towns. State superintendent may take initiative in appointing agent to act as superintendent.** Whenever the state superintendent of public schools shall find on investigation that any town or plantation is so situated that it is not practicable to form a union in accordance with the provisions of sections fifty-five to sixty, inclusive, he may place at the service of the committee of such town or plantation the general agent for the schooling of the children in unorganized townships, or any other agent of the state superintendent of public schools, who shall, when so assigned, serve as the superintendent of schools of said town or plantation; when the said agent shall so serve he shall have the same powers and shall perform the same service as superintendent of schools of towns; provided, however, that his visits to the schools of said town or plantation shall be at such intervals as may be directed by the state superintendent of public schools.'

**Sec. 9. R. S., c. 16, § 62, relating to reimbursement by remotely situated plantations for payment of agents acting as superintendents, amended.** Section sixty-two of chapter sixteen of the revised statutes is hereby amended by striking out all of said section and inserting in place thereof the following so that said section when amended shall read as follows:

**'Sec. 62. Reimbursements to be added to appropriation for union school superintendents; may be used for traveling expenses of agents.** Whenever the schools of any town or plantation shall be placed under the supervision of agents of the state superintendent of public schools as provided by the preceding section the treasurer of said town or plantation shall pay to the treasurer of state a sum which shall be at the rate of twenty-five dollars annually for each of the schools of said town or plantation and the amount so received by the treasurer of state shall be added by him to the appropriation for the superintendence of towns composing school unions and may be used for defraying the traveling expenses of agents so employed.'