

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninety-second and Ninety-third
Legislatures
OF THE
STATE OF MAINE
From April 22, 1945 to May 14, 1947
AND MISCELLANEOUS STATE PAPERS
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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninety-third Legislature

1947

Sec. 8. Authority to receive property from the town of Dixfield. The "Town of Dixfield School District" is hereby authorized to receive from the town of Dixfield, and said town of Dixfield is hereby authorized to transfer and convey to said district, any property, real, personal or mixed, now or hereafter owned or held by the town of Dixfield for school purposes, and any sums of money or other assets which the said town of Dixfield has raised or may raise, either by taxation, borrowing or otherwise, for school purposes. Before transferring and conveying any of said property or turning over any of said funds or assets, the municipal officers of the town of Dixfield shall be duly authorized to do so by a majority vote of the legal voters present at any annual or special town meeting, the call for which shall have given notice of the proposed action.

Sec. 9. Emergency clause; effective date; referendum. In view of the emergency recited in the preamble hereof, this act shall take effect when approved, only for the purpose of permitting its submission to the legal voters of the territory embraced within the limits of said district at a special meeting thereof called and held for the purpose not later than 4 months after the approval of this act. Such special meeting shall be called, advertised and conducted according to law relating to municipal elections; provided, however, that the selectmen in the town of Dixfield shall not be required to prepare for posting or the town clerk to post a new list of voters, and for the purposes of registration of voters, said selectmen shall be in session the 3 secular days next preceding such meeting. The town clerk shall reduce the subject matter of this act to the following question: "Shall the act to incorporate the Town of Dixfield School District be accepted?" and the voters shall indicate by a cross placed over the words "Yes" or "No" their opinion of the same. This act shall take effect for all the purposes thereof immediately upon its acceptance by a majority of the legal voters voting at said meeting.

The result in said district shall be declared by the municipal officers of the town of Dixfield and due certificate thereof shall be filed by the clerk of said town with the secretary of state.

Effective April 11, 1947

Chapter 110

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

Emergency preamble. Whereas, the accommodations for schools in the town of Castle Hill, Chapman, and Mapleton are inadequate to accommodate the pupils therein; and

Whereas, there are 16 scattered one-room school buildings that are outmoded, much in need of repairs, and that cannot be operated efficiently, either financially or for scholastic purposes; and

Whereas, no consolidated grade school building exists in the aforementioned towns; and

Whereas, we have reached a period in our society where students do not care to train for or teachers care to teach in rural schools; and

Whereas, open winter roads are now a reality making it possible to furnish good year-around school-pupil conveyance to a central school; and

Whereas, the total number of pupils in the three named towns would be sufficient to warrant the erection of a consolidated grade school building; 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. 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 corporate under the name of "Castle Hill-Chapman-Mapleton Community School District" for the purpose of acquiring land within the said towns 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 for the use of school purposes or which may hereafter be used for school purposes.

Sec. 2. How managed. All the affairs of said district, as are herein provided shall be managed by a community school committee who shall be elected as is hereinafter provided.

Sec. 3. Community school committee; representation; how elected; tenure of office; salaries; organization; vacancies. Castle Hill shall have 2 members on the committee; Chapman shall have 2 members on the committee; and Mapleton shall have 3 members on the committee. The board of selectmen of Castle Hill shall designate 2 members of the present school committee to serve on the community school committee, and by lot the selectmen shall determine 1 of the members to serve for a period of 1 year and 1 for a period of 2 years, and thereafter vacancies shall be filled

at the regular town meeting; the 3rd member's term of office shall terminate when the aforementioned school district shall come into being. The board of selectmen of Chapman shall designate 2 members of the present school committee to serve on the community school committee; and by lot the selectmen shall determine 1 of the members to serve for a period of 1 year and 1 for a period of 2 years, and thereafter vacancies shall be filled at the regular town meeting; the 3rd member's term of office shall terminate when the aforementioned school district shall come into being. The present 3 members of the school committee of Mapleton shall become members of the community school committee when the aforementioned school district shall come into being and elections to fill vacancies from the town of Mapleton of the members whose regular term shall expire shall be consummated at Mapleton's annual town meeting. It is intended that the tenure of office for the members of the community school committee for the town of Castle Hill shall be 2 years, after 1 member's 1st term who shall serve for 1 year; it is intended that the tenure of office for the members of the community school committee for the town of Chapman shall be 2 years after 1 member's 1st term who shall serve for 1 year; and the term of the members of the community school committee for Mapleton shall be 1 for 1 year, 1 for 2 years and 1 for 3 years, and thereafter members shall serve for a term of 3 years. The salaries of the community school committee shall be determined by the voters of the respective towns at their annual meetings and shall be paid by their respective towns out of the town officers' account. The community school committee shall meet for organizational purposes as soon as it is convenient after 2 or more of the towns shall have accepted the terms of this charter. At this original meeting a chairman and a treasurer shall be elected, whose term shall expire the following June 30th; and annually thereafter a chairman and a treasurer shall be elected whose term shall be 1 year each. The treasurer shall give bond to the district in such sum and with such sureties as said committee may determine, which bond shall remain in the custody of the chairman, the expenses of such bond shall be paid by the district. The superintendent of schools shall ex officio become the secretary of this board. Any vacancy upon the community school committee occurring because of change of residence, resignation, death, or any cause other than the normal expiration of term of office shall be filled until the next annual meeting by appointment by the selectmen of the respective town wherein the vacancy occurs.

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 as are vested

in the superintending school committees by virtue of the laws relating to public schools of Maine.

Sec. 5. Financial powers of the community school committee. To procure 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 15 years nor for a sum larger than \$50,000. 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 15 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 chairman of said district, and if coupon bonds be issued, each coupon shall be attested by the facsimile signatures of the chairman and treasurer printed thereon. All bonds and notes issued by said district shall be callable at any interest date. Said bonds and notes 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 bonds and notes shall be legal investments for trust companies and savings banks. The said district is hereby authorized and empowered to enter into such an agreement with the federal government, or any agency thereof or any corporation or board authorized by the federal government to loan money or otherwise assist in the financing of such projects as this school district is authorized to carry out, as may be necessary or desirable to accomplish the purposes of this act.

Sec. 6. Sinking fund; refunding bonds provided for. In case any bonds or notes at any time issued are made to run for a period of years (as distinguished from serial maturity), the community school committee shall establish a sinking fund for such bonds or notes for the purpose of redeeming the same when they become due. The amount to be paid annually into such sinking fund shall be not less than 4% of the total principal amount of such bonds or notes originally issued. In addition to such annual sinking fund payment, the community school committee shall have authority from time to time to add to any such sinking fund, any funds of said district not required for other purposes. Funds in any sinking fund may be deposited in any trust company or savings bank within

the state or may be invested in whole or in part in any bonds of the United States, of the state of Maine or of any political subdivision thereof, as the community school committee may determine. Interest received on any funds so invested shall be added to the sinking fund. When and if the amount accumulated in any sinking fund, together with interest received or to be received thereon, shall be sufficient to pay at maturity or, at the option of the community school committee, to redeem the bonds or notes for the benefit of which such sinking fund was established, all further payments to such sinking fund shall cease.

Whenever any bonds or notes issued by said district may become due or can be purchased or called for redemption by said district on favorable terms, said community school committee, if sufficient funds have accumulated in the sinking fund provided therefor, shall pay, purchase or redeem said bonds or notes and cancel them. In no case shall bonds or notes so paid, purchased or redeemed, and cancelled, be reissued.

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. 7. Assessment of taxes authorized to meet indebtedness; how collected; procedure. The community school committee of the "Castle Hill-Chapman-Mapleton Community School District" shall determine what sum is required each year for sinking fund payments, or if the bonds or notes authorized by this act shall be issued to mature serially what sum is required each year to meet the bonds and notes falling due, and what sum is required each year to meet the interest on said bonds or other obligations, and what sum is required each year to meet other necessary expenses in the district, and shall each year, 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 towns of Castle Hill, Chapman and Mapleton, requiring that they assess the total sum so determined upon the taxable polls and estates within said district and to commit their assessment to the constable or collector of said towns of Castle Hill, Chapman and Mapleton, 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 towns shall pay the amount of the tax so assessed against said district to the treasurer of said district. In case of a failure on the part of the treasurers of the towns to pay said sum, or in case of their failure to pay any part thereof on or before said 31st day of December of the year in which said tax is 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 community school committee of said district in relation to the collection of taxes within said district.

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 $1\frac{1}{2}$ votes to each member.

Sec. 9. Municipal capital contributions. For the purpose of creating capital for the acquiring of land, erecting of school buildings and providing conveyance equipment, the towns shall make proportional investments as follows: for each \$1 that Chapman shall contribute, Castle Hill shall contribute \$4 and Mapleton shall contribute \$7. The town of Mapleton shall loan its present high school building, agriculture shop, so called, land on which said buildings are located and all school equipment to the Castle Hill-Chapman-Mapleton Community School District, in consideration for which said community school district shall keep the high school building, agriculture shop, so called, and equipment in proper repair and pay insurance on same; provided, however, the title of all such property of Mapleton loaned to said school district shall remain in the town of Mapleton.

Sec. 10. Acceptance by towns; effective date of act. In view of the emergency recited in the preamble hereof, this act shall take effect when approved, only for the purpose of permitting its submission to the legal voters within each respective town, voting at an election specially called and held for the purpose by the municipal officers of each town, Castle Hill, Chapman and Mapleton, at its regular place for holding town meetings. The date of holding said elections shall be determined by the municipal officers of each respective town, but in no case shall it be later than July 1, 1948.

Each special election shall be called, advertised and conducted according to the law relating to municipal elections; provided, however, that the selectmen in the respective towns 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 selectmen shall be in session in their respective towns 1 hour preceding such town meetings. The town clerks in each respective town shall reduce the subject of this act to the following question: "Shall the act to create the Castle Hill-Chapman-Mapleton Community School District be accepted?" and the voters shall indicate by secret ballot by the words "yes" or "no" their opinion of the same. The results in said towns shall be declared by the municipal officers of the towns of Castle Hill, Chapman and Mapleton and returns filed with the secretary of state. This act shall take effect when approved by a majority vote of the legal voters within each respective town voting at said election. Provided, however, when at least 2 towns shall have accepted the terms of this act, the school committees of accepting towns shall assemble and decide upon an actual and convenient date when the Castle Hill-Chapman-Mapleton Community School District shall come into being; in no case shall this latter date be later than July 1, 1948; provided, further, that any town not voting to enter the school district shall not be bound by the terms of this act.

Sec. 11. Fiscal year; operational costs; collecting of operational costs. The fiscal year for the Castle Hill-Chapman-Mapleton Community School District shall be from July 1st until June 30th of the following year. The operational costs to each town for maintaining schools in said district shall be in proportion to the number of pupils attending school from each respective town and the formula for arriving at such figure shall be as follows: 2 accounts shall be maintained—1 for all pupils below and including the 6th grade and 1 account for all grades above and including the 7th grade; the total money expended for all pupils attending grades 6 and below shall be divided by the total number of pupils in such grades, multiplied by the number of pupils from each respective town; plus the total amount of money expended for all grades above and including the 7th grade divided by the number of pupils in such grades, multiplied by the number of pupils from each respective town. Provided that at least 30 days before Castle Hill, Chapman and Mapleton's annual town meeting the community school committee of the Castle Hill-Chapman-Mapleton Community School District shall submit a tentative budget for the ensuing year to each respective town, to be collected as provided in section 7. When the Castle Hill-Chapman-Mapleton Community School District shall come into being, as provided in section 10 of this act, all the unexpended school account balances from the school maintenance, repair, vocational education, insurance and equipment from each respective town shall be

come due and payable to the treasurer of the aforementioned school district.

Sec. 12. Authorization of community school committee. The community school committee shall have power to accept gifts, grants or devises to be used for school purposes in this district. Also, said community school committee shall have the power to make by-laws to facilitate the operation of schools in the said towns of Castle Hill, Chapman and Mapleton that are not repugnant to the terms of this act or to the laws of the state.

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.

Sec. 14. Saving clause. It is the intent of this act to consolidate 3 small towns into 1 combined, unified school unit with the idea of operating said towns' schools as one town's schools would be operated under the school laws of the state.

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

Effective April 11, 1947

Chapter 111

AN ACT Relating to the Brewer Water District.

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

Sec. 1. P. & S. L., 1945, c. 146, § 2, amended. Section 2 of chapter 146 of the private and special laws of 1945 is hereby amended to read as follows:

Sec. 2. Source of supply. The said water district, for the purposes of its incorporation, is hereby authorized to take, collect, store, flow, use, detain, distribute and convey to and in the city of Brewer water from Eaton brook and its tributaries in the city of Brewer and the towns of Eddington and Holden; from Hatcase pond in the towns of Dedham and