

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Third Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with
the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

KENNEBEC JOURNAL

AUGUSTA, MAINE

1967

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Third Legislature
1967

- A. To require evidence that the applicant project will serve the purposes of the chapter in increasing or retaining income and employment in the State of Maine;
- B. To require evidence of the economic feasibility of the project;
- C. To require evidence of financial capability of the applicant, including effective commitments for equity, interim financing and final mortgage financing for the project;
- D. To require evidence of management and planning capability of the applicant;
- E. To require applicant to submit a comprehensive plan that demonstrates to the satisfaction of the authority that the project, with proper management, will be capable of achieving the attendance, revenue and employment goals set forth by the applicant.

Sec. 4. R. S., T. 10, § 6003, sub-§ 2, repealed and replaced. Subsection 2 of section 6003 of Title 10 of the Revised Statutes, as enacted by section 1 of chapter 495 of the public laws of 1965, is repealed and the following enacted in place thereof:

2. **Principal obligation; limit.** Involve a principal obligation, including initial service charges and appraisals, inspection and other fees approved by the authority, in an amount of not less than \$100,000 nor more than 20% of the amount set forth in the Constitution, Article IX, Section 14-B, as it may be amended from time to time, for any one project and not to exceed 75% of the cost of the project at the time the mortgage is executed;

Sec. 5. **Effective Date.** This Act shall take effect January 1, 1968.

Effective January 1, 1968

Chapter 482

AN ACT to Permit School Administrative Districts to Join Together.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and

Whereas, there are School Administrative Districts desirous of joining together; and

Whereas, existing statutes do not permit School Administrative District mergers; and

Whereas, educational opportunities for boys and girls could be improved by such a merger; and

Whereas, enactment of this legislation is vital to the further improvement of public school education; 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. R. S., T. 20, § 214, amended. The 2nd paragraph of section 214 of Title 20 of the Revised Statutes is amended to read as follows:

The contract offer shall be reduced to writing and signed by the school board or superintending school committee or someone acting under their authority and shall include but not be limited to the following: It shall contain a provision that the offer may not be revoked for 9 months from the date thereof; a provision spelling out the formula or terms or conditions by which tuition shall be computed but that the tuition to be paid shall not exceed the legal tuition charge provided in this Title; a provision that the contract offer when accepted shall run for a period of from 5 to 20 years and that the contract ~~upon its acceptance cannot be changed, altered or amended, or mutually rescinded~~ except as permitted by special Act of the Legislature may, at any time, be changed by mutual agreement.

Sec. 2. R. S., T. 20, § 222, amended. The 3rd paragraph of section 222 of Title 20 of the Revised Statutes is amended to read as follows:

The town clerk of the municipality desiring admission shall send a certified copy of the results of the vote to the secretary of the School Administrative District. If the board of directors finds that the vote was in the affirmative the directors shall call a district meeting **within 45 days** in accordance with section 225 to vote upon the following article:

Sec. 3. R. S., T. 20, § 222, amended. Section 222 of Title 20 of the Revised Statutes is amended by inserting after the 5th paragraph, the following paragraphs:

Whenever one School Administrative District wishes to join with another School Administrative District the following procedure shall be used: The board of school directors of each district wishing to merge shall file an application with the State Board of Education on a form to be prepared by the board. The board shall receive the applications, make a study of the necessity for joining the districts together and recommend an agreement by which the districts may join together. This agreement shall be forwarded to the secretary of each School Administrative District. Within 45 days after receipt of said agreement the board of directors in each district shall call a district meeting in accordance with section 225 to vote upon the following article:

Article : To see if District No. will vote to join District No. in a merger to form a larger district under the terms and conditions as set out by the State Board of Education in the agreement prepared by the board dated

	Yes	No
--	----------	---------

The secretary of each School Administrative District shall file a return with the State Board of Education immediately following the votes in the School Administrative Districts on the question of merger. If the board finds that a majority of the voters voting on the question in each district has voted in favor

of the merger, the board shall make a finding to the effect and record the same upon its records. The board shall, after making its findings, issue a new certificate for the enlarged School Administrative District and shall number the same, which certificate shall be filed in the same manner as the original certificates of the merged School Administrative Districts. The issuance of such certificate by the board shall be conclusive evidence of the merger of the School Administrative Districts.

Sec. 4. R. S., T. 20, § 225, amended. The first paragraph of section 225 of Title 20 of the Revised Statutes is amended to read as follows:

When it is necessary to hold a district meeting to approve the issuance of bonds or notes for capital outlay purposes, to approve an agreement to add another municipality or municipalities to the School Administrative District, to approve an agreement to merge with another School Administrative District, or to approve a proposed lease agreement with the Maine School Building Authority, or to authorize the school directors to contract for the schooling of secondary pupils, or to authorize the school directors to dispose of real property, the school directors shall be authorized to call such meeting as follows:

Sec. 5. R. S., T. 20, § 225, sub-§ 4, ¶ E, additional. Subsection 4 of section 225 of Title 20 of the Revised Statutes is amended by adding a new paragraph E, to read as follows:

E. Whenever a School Administrative District votes on the question of merging with another School Administrative District, the secretary shall forthwith file a return with the State Board of Education of the results of the vote on the question of merger.

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

Effective July 7, 1967

Chapter 483

AN ACT to Share Costs in School Administrative Districts on a Basis other than State Valuation.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and

Whereas, a number of municipalities cannot join districts under existing statutes; and

Whereas, school programs could be improved in many communities through school district formation; and

Whereas, the following legislation is needed to improve the educational programs of the State; 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,