

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Third Legislature

OF THE

STATE OF MAINE

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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,

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

Sec. 1. R. S., T. 20, § 215, sub-§ 4, amended. Subsection 4 of section 215 of Title 20 of the Revised Statutes, as amended, is further amended by adding after the third article, the following:

Whenever a proposed district or a town being added to a district has petitioned the state board for permission to use an alternate method of sharing costs, the article to be voted upon shall be as follows:

Article : Shall the authorize the board of
(administrative unit)
directors to assess local appropriations annually in accordance with Alternate
Method A — Alternate Method B Yes.....No.....(The exact terms of
(Cross out one)
Alternate Method A or Alternate Method B shall be printed below the question
on the warrant and on the ballot if a ballot is used.)

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

The board shall receive the application, make a study of the necessity for joining this municipality with an existing School Administrative District and recommend an agreement by which the municipality may become a member, said agreement may contain a new method of sharing costs among the member municipalities of the district in accordance with the alternates outlined in section 305. The article set out in section 215 authorizing units to vote on alternate methods of sharing costs shall be used if the agreement recommended by the board contains a provision for using one of the alternate methods of sharing costs set out in section 305.

Sec. 3. R. S., T. 20, § 305, amended. The 7th sentence of section 305 of Title 20 of the Revised Statutes is repealed and the following enacted in place thereof:

The directors shall thereupon issue their warrants, in substantially the same form as the warrant of the Treasurer of State for taxes, to the assessors of each participating municipality, requiring them to assess upon the taxable polls and estates within said municipality an amount in proportion to the total sum required each year as that municipality's state valuation bears to the total state valuation of all the participating municipalities; or requiring them to assess each municipality in accordance with Alternate Method A or Alternate Method B of this section if either method has been adopted by vote of the units and has been certified by the commissioner. Alternate methods of sharing costs among the member municipalities of a School Administrative District may be used if certified in accordance with the following procedures. The municipal officers and school committee members of a proposed School Administrative District may petition the State Board of Education on forms prepared by the board for permission to share costs among the member municipalities of the proposed district using either Alternate Method A or Alternate Method B of this section. Upon approval of the State Board of Education, the municipalities of the proposed School Administrative District shall vote upon the approved method of sharing costs in accordance with Alternate Method A or Alternate Method B as approved.

If a majority of the voters in the administrative units approve of an alternate method of sharing costs, then such method shall be used in sharing all future costs or assessments that may thereafter be authorized by the voters. The clerks of the municipalities voting on the question of the alternate method of

sharing costs shall make a return to the State Board of Education in such form as the board shall determine. If the board finds that a majority of the residents within each of the municipalities involved voting on the question of the method of sharing costs have voted in the affirmative, the board shall make a finding to that effect, record the same upon its records, and certify its finding to the commissioner. If the vote of the administrative units is in the affirmative, the commissioner shall issue a certificate certifying that costs are to be shared in accordance with the plan approved by the voters.

Alternate Method A: Each member municipality of the district shall raise the number of mills as specified in section 3723; any additional appropriation required by the district shall be divided among the member municipalities in the same proportion as the 2-year average of resident pupils of the previous biennium in a member municipality bears to the total 2-year average of resident pupils of the previous biennium in the district or municipalities of the proposed district; except that no member municipality within the School Administrative District may be assessed an amount which is more than 5% higher than the average percentage increase of the district as a whole over the assessment or assessments of the previous year. Any amounts that must be redistributed because of this limitation shall be distributed among the remaining member municipalities of the district in proportion to the 2-year average of resident pupils in the remaining member municipalities.

Alternate Method B: Assessments to the member municipalities shall be based partly on the number of resident pupils in each municipality and partly on the state valuation of each municipality. The portion of the cost that is based on resident pupils shall be in the same proportion as the 2-year average of resident pupils of the previous biennium in a member municipality bears to the total 2-year average of resident pupils of the previous biennium in the district or municipalities of the proposed district; the portion of the cost that is based on state valuation shall be in the same proportion as the state valuation in a member municipality bears to the total state valuation in the district or the proposed district. The State Board of Education may approve any one of the following 9 percentage sharing plans:

Pupils	Valuation
30%	70%
35%	65%
40%	60%
45%	55%
50%	50%
55%	45%
60%	40%
65%	35%
70%	30%

Said directors shall commit the assessment to the constable or collector of said municipality who shall have all the authority and powers to collect said taxes as is in him vested by law to collect state, county and municipal taxes.

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