

MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Fifth Legislature
AT THE
SPECIAL SESSION

January 24, 1972

to

March 10, 1972

32. For issuing a short form certificate of change of name or of consolidation or merger, as provided by section ~~1310~~ 1307, \$2 per certificate.

Sec. 23. R. S., T. 36, § 2402, amended. The first sentence of section 2402 of Title 36 of the Revised Statutes is amended to read as follows:

The Secretary of State shall certify to the State Tax Assessor the corporate name, the name ~~of the treasurer~~ and address of the clerk and the amount of authorized capital stock of each of such corporations and shall thus certify to the State Tax Assessor whenever a new corporation has been organized and whenever a change has occurred in the corporate name or the name or address of the ~~treasurer~~ clerk or the amount of authorized capital stock of a corporation already organized.

Sec. 24. R. S., T. 36, § 2406, amended. The first sentence of section 2406 of Title 36 of the Revised Statutes is amended to read as follows:

The State Tax Assessor shall annually prepare a list of all corporations that have failed to pay their annual franchise tax for the preceding year, giving the corporate name, the name of the ~~treasurer~~ clerk last filed in the office of the Secretary of State and the amount of the tax due from each corporation, except those from which by reason of having been duly excused as provided by statute, or dissolved by decree of court, or by filing articles of dissolution with the Secretary of State, no franchise tax is due for such year, which list shall be published once in the month of August in 4 places within the State, namely, Lewiston, Bangor, Portland and Augusta, in such newspapers in each place as the State Tax Assessor may select.

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

Effective February 8, 1972

CHAPTER 566

AN ACT Correcting an Inconsistency in the Pharmacy Laws.

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

R. S., T. 22, § 2204-C, repealed. Section 2204-C of Title 22 of the Revised Statutes, as enacted by section 1 of chapter 282 of the public laws of 1971, is repealed.

Effective June 9, 1972

CHAPTER 567

AN ACT Relating to the Community School District Law.

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

Whereas, there is an urgent need for some municipalities to construct additional facilities for secondary school pupils ; and

Whereas, attempts to solve the school problems by other means have failed ; and

Whereas, it is in the best interests of the local communities and the State to develop cooperative solutions ; and

Whereas, some students may be denied a high school education if a solution to the problem cannot be found ; 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, § 351, amended. Section 351 of Title 20 of the Revised Statutes, as amended by section 1 of chapter 261 of the public laws of 1965, is further amended by inserting before the 2nd paragraph from the end the following :

Article To see if the town will vote to accept the provisions of sections 361 and 362 of Title 20 which shall determine the method of sharing costs and the method of budget approval of the community school district.

Sec. 2. R. S., T. 20, § 354, amended. The 2nd sentence of section 354 of Title 20 of the Revised Statutes is amended to read as follows :

To procure funds for capital outlay purposes, the trustees of said district are authorized to issue bonds and notes of the district, not to exceed in the aggregate at any one time outstanding, the limit of indebtedness of said district as established under section 351 or ~~5%~~ 12½% of the total of the last preceding state valuation of all of the participating towns, whichever is the lesser.

Sec. 3. R. S., T. 20, §§ 361, 362, 363 and 364, additional. Title 20 of the Revised Statutes is amended by adding 4 new sections to read as follows :

§ 361. Sharing costs

Any community school district organized after February 1, 1972, may share the costs among the member municipalities on the basis of the number of resident pupils in each municipality on October 1st in the year preceding the budget meeting if the education of those pupils is the responsibility of the community school district. When a budget has been approved for the community school district in accordance with section 362, the gross amount shall be allocated to each member municipality on the basis of the number of pupils in each municipality as cited above. From the gross budget allocated to each municipality shall be deducted the state aid earned by that municipality because of the pupils in the community school district, and any other incomes

of the district shall be allocated to each municipality on the basis of the cost-sharing method cited above and shall also be deducted. The net amount, after subtracting subsidy and other incomes from the gross allocation of each municipality, shall be assessed to each municipality in accordance with the applicable provisions of section 355.

§ 362. Budget approval

The school committee and the board of trustees shall annually prepare a budget for the operational and capital expenditures of the community school district. The board of trustees shall post warrants in each of the member municipalities calling for an annual budget meeting following the same procedures that are used by a municipality for the calling of a regular town meeting.

The annual budget meeting shall be called for the 3rd Monday in March at an hour and in a location within the district to be designated by the board of trustees. The town clerks of the member municipalities shall annually supply a current list of the registered voters of the member municipalities. Said lists shall be used in determining the voters who are eligible to vote at the annual budget meeting of the community school district. The chairman of the board of trustees shall open the meeting and shall call for the election of a moderator. The moderator shall be sworn in the same manner as the moderator at a regular town meeting, and his duties shall be the same as those of any moderator at a regular town meeting. The board of trustees shall be responsible for preparing appropriate articles to authorize the budget expenditures and to determine the sums of money that will be assessed to each member municipality as a result of voter approval of the articles presented. A majority vote of those voters present and voting shall be necessary for the approval of the annual budget for the community school district.

§ 363. Fiscal year

The fiscal year of the community school district shall begin on July 1st and shall end on June 30th for any district organized after February 1, 1972.

§ 364. Combination districts

Notwithstanding any other provisions of this Title or any private and special act, School Administrative Districts which do not operate secondary schools and which contract for secondary education may join with other School Administrative Districts or with municipalities or any combination thereof to form a community school district for the purpose of operating a high school for grades 9 through 12. A School Administrative District may not dissolve under section 222 if it is a member of a community school district which has outstanding debt.

Where applicable, wherever the word town is used in chapter 11 the words administrative unit may be substituted, and wherever the words school committee are used, the words school directors may be substituted, and wherever the words municipal officers are used, the words school directors may be substituted.

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