

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

PORTLAND LITHOGRAPH COMPANY
PORTLAND, MAINE
1977

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

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ONE HUNDRED AND EIGHTH LEGISLATURE

1977

Whereas, the Maine Institution for the Blind receive funds from the State for the conduct of its programs for the assistance of visually impaired persons; and

Whereas, this circumstance creates the potential for a conflict of interest on the part of the directors of the Maine Institution for the Blind; 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:

P & SL 1923, c. 96 is repealed.

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

Effective June 14, 1977

CHAPTER 54

AN ACT to Authorize the Towns of Beals and Jonesport to Withdraw from the Moosabec Community School District and Form a New District.

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

Whereas, section 360 of Title 20 of the Maine Revised Statutes provides for a participating town to withdraw from a community school district as authorized by a special Act of the Legislature upon such terms as shall be contained in such special Act; and

Whereas, the inhabitants of the Town of Beals have already indicated their desire to withdraw from the Moosabec Community School District by a $\frac{2}{3}$ vote of the legal voters in said town present and voting at a special meeting, called and held in the manner provided for the calling and holding of town meetings, as required by section 360 of Title 20; and

Whereas, the fiscal year for any community school district organized after February 1, 1972, shall begin on July 1 and end on June 30, as required by section 363 of Title 20, and it is in the interest of both the Town of Beals and the Moosabec Community School District that the withdrawal of the Town of Beals from said district be effected so as to insure an orderly transition consistent with fiscal year requirements; 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. Authorization. The inhabitants of the Towns of Beals and Jonesport are hereby authorized to withdraw from the Moosabec Community School District upon the terms contained in this Act.

Sec. 2. Continued existence. The Moosabec Community School District shall consist of the inhabitants of the Towns of Beals and Jonesport for the purposes of owning and operating a secondary school for students in grades 9 through 12. The State Board of Education shall issue a certificate of organization for the Moosabec Community School District, effective July 1, 1977, which shall be conclusive evidence of the legal formation of the Moosabec Community School District.

Sec. 3. Rights and privileges. The Moosabec Community School District shall have all the rights and privileges of a district formed under the provisions of the Revised Statutes, Title 20, and shall be governed by all of the applicable provisions of Title 20.

Sec. 4. Trustees. The administrative units of Beals and Jonesport shall elect school trustees as provided in Title 20 within 30 days of the passage of this Act.

Sec. 5. Cost sharing. Costs shall be shared in the Moosabec Community School District based upon the provisions of the Revised Statutes, Title 20, section 361, and other applicable provisions of Title 20.

Sec. 6. Budget approval. Budget approval shall be governed by the provisions of the Revised Statutes, Title 20, section 362, which provide for the voters to act annually at a budget meeting on the appropriations necessary to operate the community school district.

Sec. 7. School committee. The presently elected school committee for the Towns of Beals and Jonesport shall continue in office as school committee members and shall have all the powers and duties as set forth in the Revised Statutes, Title 20. At the expiration of the terms of office, the school committee members shall be elected in accordance with the provisions of Title 20, section 356.

Sec. 8. Assets. The trustees of the Moosabec Community School District shall be the body to determine an equitable division of any assets of the Moosabec Community School District to insure that the Towns of Beals and Jonesport each receives a fair share of the assets of the present Moosabec Community School District. The Commissioner of Educational and Cultural Services is authorized to settle any disputes which may arise in the division of assets. His decision shall be final and binding.

Sec. 9. Elementary schools. The Town of Beals and the Town of Jonesport shall each operate its own elementary school or schools for grades K through 8.

Sec. 10. Supervision. The Towns of Beals and Jonesport and Moosabec Community School District shall be grouped together for the purposes of supervision and shall, under the applicable provisions of the Revised Statutes, Title 20, employ a superintendent of schools and such other central office

services as are voted by the joint board. This supervisory unit shall be known as School Union 103.

Sec. 11. Contracts. All contracts currently in existence shall be assigned to the school unit where the individual performs necessary school services. The Commissioner of Educational and Cultural Services is authorized to settle any disputes relating to contracts. His decision shall be final and binding.

Sec. 12. Effective date. Notwithstanding any law to the contrary, the Towns of Beals and Jonesport and the Moosabec Community School District shall have 30 days beyond the effective date of this Act to call budget meetings and adopt school budgets for the fiscal year 1977-78.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved, except that the K-12 Moosabec Community School District shall continue in operation through this fiscal year ending June 30, 1977.

Effective June 14, 1977

CHAPTER 55

AN ACT to Amend the Charter of the Augusta Sanitary District.

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

Whereas, the current charter provisions of the Augusta Sanitary District provide one method of collection of construction assessment liens; and

Whereas, the procedure authorized by the charter requires the district to bring a civil action against a party so assessed within one year from the date of the acceptance of assessment by the commissioners of the district; and

Whereas, in order to preserve the aforesaid lien the district must complete the civil action and proceed to sell the premises subject to the assessment; and

Whereas, extensive expansion and construction of the present sanitary system within the jurisdiction of the district is contemplated within 6 months hereafter; and

Whereas, the limitations forced on the district by the current procedure authorized by its charter would cause an undue hardship upon the parties being served by the district; and

Whereas, the enactment of an alternative procedure for the perfection of an assessment lien similar to that procedure now authorized for rate liens would eliminate the necessity of initiating steps which may ultimately require the sale of premises to implement the collection of assessments; and