

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**  
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

**SECOND SPECIAL SESSION**

September 25, 1981

AND

**THIRD SPECIAL SESSION**

December 9, 1981

AND

**SECOND REGULAR SESSION**

January 6, 1982 to April 13, 1982

AND AT THE

**FOURTH SPECIAL SESSION**

April 28, 1982 to April 29, 1982

AND AT THE

**FIFTH SPECIAL SESSION**

May 13, 1982

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

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J.S. McCarthy Co.  
Augusta, Maine  
1981

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
SECOND AND THIRD SPECIAL SESSIONS

and

SECOND REGULAR SESSION

and

FOURTH AND FIFTH SPECIAL SESSIONS

of the

ONE HUNDRED AND TENTH LEGISLATURE

1981

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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:

20 MRSA §226-A, sub-§6, 2nd and 3rd sentences, as enacted by PL 1977, c. 695, §2, are repealed and the following enacted in their place:

These meetings shall be held solely for the purpose of approving an operating school budget to replace the proposed budget, or the part thereof, which the voters failed to approve in the referendum vote. The board of directors must submit a revised budget which differs from the operating budget rejected by the voters in the referendum. The general meeting may approve any budget which differs from the one rejected by the voters in the referendum vote. These meetings shall be held in accordance with the provisions and procedures set out in section 226 and may continue in this manner until a budget different from the one voted down in the referendum vote is adopted.

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

Effective April 9, 1982.

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## CHAPTER 656

H.P. 2237 - L.D. 2095

AN ACT to Provide for the Direct Election of  
Community School District School Committees.

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

Sec. 1. 20 MRSA §373, sub-§1, as amended by PL 1981, c. 114, §2, is repealed and the following enacted in its place:

1. Representation on school committees in districts that do not include grades 1 through 12; districts that include grades 1 through 12; starting date for term of office. Each member town's representation on the district's school committee, as determined pursuant to section 372, subsection 2, paragraph C, shall be chosen as follows.

A. In a district which does not include grades 1 through 12, the school committee of each member town shall choose from its membership the representation on the community school district's school committee to which that town is entitled. Membership on the district's committee shall be coterminous with the member's term of office on the school committee of the town which he represents.

B. In a district which includes grades 1 through 12, the member towns shall elect their representatives directly to the district's school committee as follows.

(1) For the purpose of nominations, the members of the school committee shall be considered municipal officers and shall be nominated in accordance with Title 30, chapter 207, or in accordance with a municipal charter, whichever is applicable.

(2) Upon the election of the members to the school committee, the clerks of the several municipalities within the district shall forward the names of the members of the committee elected by each municipality to the secretary of the district's school committee.

(3) The terms of office shall be determined by lot as follows: One-third of the members of the school committee shall serve one-year terms; 1/3 shall serve 2-year terms; and 1/3 shall serve 3-year terms. In the event the number of members is not evenly divisible by 3, the terms of the members represented by the integer obtained by dividing the number of members by 3 shall be determined by the preceding sentence; if one member remains, he shall serve a 3-year term; if 2 members remain, one shall serve a 3-year term and one shall serve a 2-year term, to be determined by lot. The members of the school committee shall serve their terms as determined and an additional period until the next regular election of the municipalities. Thereafter, their terms of office shall date from the time of each municipality's regular election. In a city where elections are held biennially, the term of each member shall be

for 4 years dating from the time of the regular city election and, following the initial election, the members shall choose by lot to see who will serve for 4 years and who will serve for 2 years. Thereafter, each member shall be elected to serve for 4 years.

C. Notwithstanding paragraphs A and B, the voters of a district may vote on an appropriate article at meetings called by the municipal officers of the respective member towns, in accordance with section 371, to establish a fixed common date for all newly-elected school committee members to assume their terms of office. The common date shall be subsequent to the last annual municipal election within the district, but shall be no later than July 1st of the next fiscal year. The adoption of such a common date shall be conditional upon the favorable passage of this article at each of the meetings of the member towns.

Sec. 2. 20 MRSA §373, sub-§2, as amended by PL 1981, c. 464, § 12, is repealed and the following enacted in its place:

2. Vacancies caused by death or resignation; declaration of vacancy; attendance as nonvoting member. Vacancies caused by death or resignation shall be filled as follows.

A. A vacancy on a school committee of a district which does not include grades 1 through 12, whether caused by death, by resignation or by a member having changed his residence from the town which he represents, shall be filled by the school committee of the town in which the vacancy occurs. A similar vacancy on a school committee of a district which includes grades 1 through 12 shall be filled by the municipal officers of the municipality in which the member resided. The municipal officers shall select a new member from the municipality in which the old member resided to serve until the next annual municipal election. Evidence that an individual is registered to vote in a municipality is prima facie evidence of that individual's residency.

B. If any representative on the school committee in a community school district which does not include grades 1 through 12 is absent from 3 consecutive regular committee meetings, the committee may declare that a vacancy exists and the school committee in the representative's town may choose from among its members another representative to the community school committee. He shall be chosen on the basis of seniority.

C. If a member of the school committee in a community school district which does not include grades 1 through 12 is absent from a meeting, the senior nonvoting member shall be allowed all the rights and privileges of the absent member, with the exception of the right to vote. This paragraph shall apply only to a community with only one member on the community school committee.

**Sec. 3.** 20 MRSA §471, first sentence, as amended by PL 1967, c. 425, §19, is amended to read:

Every town, not included in a School Administrative District or a community school district which operates grades 1 through 12, shall choose by ballot at its annual meeting a school committee of 3 to hold office as provided in section 472 and shall fill vacancies arising therein at each subsequent annual meeting.

Effective July 13, 1982.

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## CHAPTER 657

H.P. 2184 - L.D. 2070

AN ACT to Amend the Child Support Laws.

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

**Sec. 1.** 17-A MRSA §552, sub-§2-A is enacted to read:

2-A. Prosecution may be brought in any venue where either the dependent or the defendant resides.

**Sec. 2.** 19 MRSA §448-A, as enacted by PL 1975, c. 532, §2, is repealed and the following enacted in its place:

§448-A. Duty of Department of Human Services to enforce support obligations

1. Enforcement of support obligation. Upon application, the Department of Human Services may, for a fee, locate absent parents, enforce support obligations and