

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 2010 to June 29, 2011

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Augusta, Maine
2011

PRIVATE AND SPECIAL LAWS OF THE STATE OF MAINE
AS PASSED AT
THE FIRST REGULAR SESSION OF THE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
2011

CHAPTER 1
H.P. 11 - L.D. 19

**An Act To Change the Annual
Meeting Date and Fiscal Year
of Mount Desert Island
Regional School District**

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

Whereas, Private and Special Law 1963, chapter 176, as amended, requires Mount Desert Island Regional School District to hold its annual meeting on the second Wednesday of February and to operate on a calendar fiscal year; and

Whereas, the required annual meeting date interferes with the budget development and approval process and the required fiscal year is contrary to the requirement of the Maine Revised Statutes, Title 20-A, section 15003; 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. P&SL 1963, c. 176, §8 is amended to read:

Sec. 8. Fiscal year; annual reports. The fiscal year of the district ~~shall begin~~ begins on the first day of ~~January~~ July of each year and ~~end~~ ends on the ~~31st~~ 30th day of ~~December~~ June of each the succeeding calendar year. On or before January 15th of each year, the Regional School trustees and the Regional School Committee shall present to the municipal officers of each of the participating towns a detailed estimate in the form of a budget of the amount necessary for the operation and maintenance of the Regional School for the next fiscal year. On or before January March 15th of each year, the Regional School trustees and the Regional School Committee shall render present to the municipal officers of each of the participating towns reports in writing showing the affairs and conditions of the Regional School for the preceding

~~fiscal year and a detailed estimate in the form of a budget of the amount necessary for the operation and maintenance of said Regional School for the current year. Copies of such the reports shall must be distributed to the inhabitants of the district in the same manner and form as is are provided for town reports, except that the same shall copies must be made available for distribution not later than the annual district meeting of each year.~~

The voters of the district at each annual meeting of the district shall determine what sum, not less than the amount prescribed by the general law, is required for the operation and maintenance of ~~said the~~ said Regional School for the ~~current~~ next fiscal year.

Sec. 2. P&SL 1963, c. 176, §9, first paragraph is amended to read:

Sec. 9. Capital costs; assessment of taxes authorized; how collected; procedure. The board of trustees shall determine the sums required for each fiscal year to pay:

Sec. 3. P&SL 1963, c. 176, §9, last paragraph is amended to read:

The board of trustees shall each year before the first day of ~~April~~ July, apportion the total sums so determined among the towns comprising the district, and issue its warrant in the same form as the warrant of the Treasurer of the State for taxes, with proper changes, to the assessors of each participating town, requiring that they assess upon the taxable polls and estates within each ~~such~~ town, including all village corporations ~~therein~~, an amount determined in accordance with section 15 of this ~~act~~ Act, and to commit their assessments to the constable or collectors of ~~said the~~ towns, who ~~shall~~ have all authority and powers to collect ~~said the~~ taxes as is are vested by law to collect state, county and municipal taxes. The treasurers of ~~said the~~ participating towns shall pay the amount of the tax ~~so~~ assessed against the taxable polls and estates within their respective municipalities to the treasurer of the Regional School trustees on or before the 31st day of December of each year. ~~In the case of the failure on the part of~~ If the treasurer of said a participating town fails to pay said the sum or any part thereof of the sum on or before said the 31st day of December in the year in which said the tax is levied, the treasurer of the district may issue his the treasurer's warrant for the amount of said the tax or so much thereof as shall then remain of the tax that remains unpaid to the county sheriff, requiring him the county sheriff to levy by distress and sale on the real

and personal property of any of the inhabitants of the participating town where ~~such the~~ default takes place and the sheriff or any of ~~his the sheriff's~~ deputies shall execute ~~said the~~ warrant, except as otherwise ~~herein~~ provided ~~in this Act~~. The same authority as is vested in county officials for the collection of county taxes under the provisions of the Maine Revised Statutes is vested in the trustees of ~~said the~~ district in relation to the collection of taxes within ~~such the~~ participating town.

Sec. 4. P&SL 1963, c. 176, §10 is amended to read:

Sec. 10. Operational costs; assessment of taxes authorized; how collected; procedure. The Regional School Committee shall for each fiscal year before the first day of ~~April~~ July apportion the total sums required for the operation of the Regional School, as ~~such the~~ sums are determined by the voters of the district at the annual meeting ~~thereof~~, among the participating towns in accordance with section 15 of this ~~act~~ Act. The Regional School Committee shall then issue its warrant in the same form as the warrant of the Treasurer of the State for taxes, with proper changes, to the assessors of each participating town, who shall deduct the amount of subsidies, or other income, if any, accruing to ~~said the~~ town because of its share in the Regional School, and shall assess the remaining sum upon the taxable polls and estates within their participating town and commit their assessments to the constable or collectors of ~~said the~~ participating town who shall have authority and power to collect as provided in section 9 of this ~~act~~ Act. The treasurer of each participating town shall with respect to the sum ~~so~~ assessed make payments, then provide for their collection, all as provided in ~~said~~ section 9, and the Regional School Committee shall with respect to the sums ~~so~~ assessed ~~have~~ has the same authority as ~~by said provided in~~ section 9 ~~is granted~~ to the board of trustees.

Sec. 5. P&SL 1963, c. 176, §11, first paragraph, as amended by P&SL 1971, c. 7, is further amended to read:

Sec. 11. Annual meeting of the district; qualifications of voters of district; procedure at district meetings; annual budgets. The annual meeting of the district shall must be held within the district, and at the school building ~~when completed~~, on the ~~2nd 1st~~ Wednesday of ~~February~~ April, ~~such the~~ meeting to start between 9 o'clock in the forenoon and 8 o'clock in the afternoon. The warrant for ~~said the~~ meeting or any special meeting shall must be signed by the ~~chairman~~ chair or treasurer of the board of trustees and the ~~chairman~~ chair or secretary of the Regional School Committee.

Sec. 6. P&SL 1963, c. 176, §11, 4th paragraph is amended to read:

The warrant for the annual meeting shall must set forth the school budget for the next fiscal year in substantially the following form:

PROPOSED
SCHOOL BUDGET FOR ~~YEAR 19~~
FISCAL YEAR 2 - 2

REGIONAL SCHOOL COMMITTEE

Operating Budget Expenses

Total proposed operating expenses \$-----

BOARD OF TRUSTEES

Capital Budget Expenses

Bonds and Notes

Principal - Sinking Fund \$-----
Payments \$-----
Interest \$-----

Interest on Temporary Notes \$-----

Maine School Building Authority

Assumed by District \$-----
Rents or lease payments \$-----

Additions and Improvements \$-----

Total Capital expenses \$-----
Total proposed Expenditure \$-----

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective February 4, 2011.

CHAPTER 2

H.P. 69 - L.D. 81

**An Act To Change the Name of
Township 3, Range 9, NWP, to
Cedar Lake Township**

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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