

# MAINE STATE LEGISLATURE

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## CHAPTER 9

## ADMINISTRATIVE DISTRICTS

Subch.	Sec.
I. General Provisions .....	211
II. School Directors .....	301

## SUBCHAPTER I

## GENERAL PROVISIONS

Sec.	
211.	Declaration of policy.
212.	Powers and duties of Board of Education.
213.	Criteria for districts.
214.	Special secondary school contracts.
215.	Formation of district.
216.	Organization.
217.	Transfer of property and assets.
218.	Reserve fund for capital outlay purposes.
219.	Application of general law.
220.	Transportation.
221.	Superintendent of School Administrative District.
222.	Additions and dissolution.
223.	Regulations.
224.	Operational date; teachers' and superintendents' contracts.
225.	District meetings.
226.	—Budget.

**§ 211. Declaration of policy**

It is declared to be the policy of the State to encourage the development of school administrative units of sufficient size to provide a more equalized educational opportunity for pupils, to establish satisfactory school programs and to achieve a greater uniformity of school tax rates among the School Administrative Districts and a more effective use of the public funds expended for the support of public schools.

1957, c. 364, § 1-B; c. 443, § 2.

**§ 212. Powers and duties of Board of Education**

The board shall adopt such bylaws, rules and regulations for the calling and holding of meetings and the administration of its

affairs as it deems appropriate and necessary to effectuate the purposes of this chapter. A majority of the membership of the board shall constitute a quorum for the purpose of transacting business.

The board shall develop a state plan for the creation of efficient School Administrative Districts throughout the State and for the purpose of approving applications for the organization of School Administrative Districts.

The board is empowered and authorized and it shall be their duty:

**1. Appoint employees.** To appoint and employ in accordance with the Personnel Law such personnel as may be deemed necessary to carry out the duties imposed upon it by this chapter, to fix the duties of such employees and to utilize staff of the State Department of Education and make funds available therefor;

1961, c. 417, § 122.

**2. Study, plans and report.** To be responsible for a thorough study of school conditions and needs in the State, to determine plans for the establishment of appropriate School Administrative Districts in all organized territory of the State and to report its actions and recommendations to each regular session of the Legislature on or before January 10th. This chapter shall be in full force and effect whether or not such study, plans or report have been made. Said study and planning shall be directed by the board but shall include all possible participation and assistance by citizens and organizations at the local level;

1961, c. 417, § 122; c. 294.

**3. Uniform minimum tax rate.** To evaluate the impact of consolidation on valuation per pupil in the larger district as compared to the individual towns comprising the district and make definite recommendations with respect to an eventual uniform minimum tax rate toward the support of a foundation program of education when these larger districts have been appropriately established throughout the State;

**4. Survey school building needs and costs.** To survey, as completely as possible, school building needs and costs in the respective proposed districts which are required to effectively accomplish the organization of the districts;

**5. Applications for district.** To further expedite this reorganization by receiving, filing, examining and approving or disapproving applications by the superintending school committees

of all the municipalities wishing to establish a School Administrative District;

**6. Establishment of districts not eligible for commission approval.** To further expedite the reorganization of administrative units by receiving, examining and recommending to the Legislature the establishment of School Administrative Districts which are not eligible for board approval under section 213. (1961, c. 294.)

1957, c. 364, § 1-B; c. 443, § 2; 1961, c. 417, §§ 121, 122; c. 294.

### § 213. Criteria for districts

The board may approve the formation of School Administrative Districts which had at least 300 resident secondary pupils educated at public expense in grades 9 through 12 as indicated in the last returns made to the commissioner under section 966.

The board may, in addition, approve the formation of a School Administrative District from any community school district existing on April 1, 1957 which has been formed under the general law or by special legislative charter and was operating a school on April 1, 1957, which offered a program of education for grades 9 through 12, irrespective of the number of resident pupils educated at public expense in grades 9 through 12 as indicated in the last return made to the commissioner under section 966.

The board may in addition to the power conferred in the preceding paragraph approve the formation of a School Administrative District from any community school district existing on April 1, 1957, which has been formed under the general law or by special legislative charter and was operating a school on April 1, 1957, which offered a program of education in grades 9 through 12 along with any other municipality or municipalities which desire to join with the area within any existing community school district, irrespective of the number of resident pupils educated at public expense in grades 9 through 12 as indicated in the last return made to the commissioner under section 966.

The board may, in addition to the power conferred in this section, approve the formation of a School Administrative District which had not less than 50 resident secondary pupils educated at public expense in grades 9 through 12 as indicated in the last return to the commissioner under section 966, provided that on the date of the approval there was on file with the board a con-

tract offer duly authorized and executed running to the proposed School Administrative District from a municipality having 100 or more resident pupils educated at public expense in grades 9 through 12 as indicated on the last return to the commissioner under section 966, to take and educate all pupils in grades 9 through 12 in the proposed School Administrative District for a period of from 5 to 20 years. Provided that in combination with the proposed School Administrative District the total number of resident high school pupils to be educated in grades 9 through 12 exceeds 300.

1957, c. 364, § 1-B; c. 443, § 2; 1959, c. 353, § 2; 1961, c. 96, § 1; c. 294.

#### § 214. Special secondary school contracts

Where a School Administrative District is proposed to be formed under the last paragraph of section 213, a municipality having 100 or more resident pupils, educated at public expense, in grades 9 through 12 as indicated on the last return to the commissioner under section 966, acting through its school board or superintending school committee, shall be authorized to make a contract offer to a proposed School Administrative District, provided that said school board or superintending school committee has been authorized to make such contract offer by the city council, if the municipality is a city, or by the legislative body of a town, if the municipality is a town, in accordance with their respective city charters, town charters or under the general law relating to towns.

The contract offer shall be reduced to writing and signed by the school board or superintending school committee or someone acting under their authority and shall include but not be limited to the following: It shall contain a provision that the offer may not be revoked for 9 months from the date thereof; a provision spelling out the formula or terms or conditions by which tuition shall be computed but that the tuition to be paid shall not exceed the legal tuition charge provided in this Title; a provision that the contract offer when accepted shall run for a period of from 5 to 20 years and that the contract upon its acceptance cannot be changed, altered or amended, or mutually rescinded except as permitted by special Act of the Legislature.

When a School Administrative District has been formed, relying upon a contract offer that is outstanding, the Directors of the School Administrative District shall, on the date that the School Administrative District is placed in operation, accept said



contract offer by signing the same and returning the original contract to the offering municipality and sending a certified copy to the commissioner.

1959, c. 353, § 3; 1961, c. 96, § 2.

### § 215. Formation of district

The residents of and the territory within 2 or more municipalities may form a School Administrative District, which shall be a body politic and corporate, by proceeding as follows:

**1. Application.** The superintending school committees of the municipalities that desire to form a School Administrative District shall file an application with the board setting forth the names of the municipalities that propose to join to form said district on a form to be prepared by the board and shall furnish such other data as the board may determine necessary and proper for its deliberations.

1961, c. 294.

**2. Notice of joint meeting.** If the proposed district is found to be eligible by the board and is approved by it, the board shall give notice to the municipal officers and the members of the superintending school committee in the municipalities within the proposed School Administrative District of a date, time and place of a joint meeting of the municipal officers and the superintending school committee members of each municipality. The notice shall be in writing and sent by registered or certified mail, return receipt requested, to the addresses as shown on the application mentioned in subsection 1. A return receipt properly endorsed shall be evidence of the receipt of notice. The notice shall be mailed at least 10 days prior to the date set for the meeting.

1961, c. 294.

**3. Meeting.** The members of the school committee and the municipal officers of the municipalities within the proposed Administrative School District shall meet at the time and place appointed and organize the meeting by electing a chairman and a secretary. No action shall be taken at the meeting unless at the time of the convening thereof there are present at least  $\frac{1}{2}$  of the total number of municipal officers and school committee members eligible to attend and vote at said meeting, other than to report to the board that a quorum was not present and request said board to issue a new notice for another meeting in the same manner set forth in subsection 2. The purpose of the meeting shall

be to determine a fair and equitable number of school directors to be elected by and to represent each participating municipality. When a decision has been reached on the number of school directors and the number to represent each municipality, within the limitations provided, this shall be reduced to writing by the secretary and must be passed by a vote of  $\frac{2}{3}$  of those present. The vote shall be reduced to writing and the record of the meeting shall be signed by the chairman and attested by the secretary and forwarded to the board who shall receive and keep the same.

1961, c. 294.

**4. Articles to be voted on.** When the record of the meeting has been received by the board and found to be in order, the board shall order the question of the formation of the proposed School Administrative District and other questions relating thereto to be submitted to the legal voters of the municipalities which fall within the proposed School Administrative District. The order shall be directed to the municipal officers of the municipalities which propose to form a School Administrative District, directing them to call town meetings or city elections, as the case may be, for the purpose of voting in favor of or in opposition to each article in the following form:

Article : To see if the municipality will vote to join with the municipalities of (naming them) to form a School Administrative District.

Article : To see if the municipality will vote to approve the allocation of representation among the municipalities on the Board of School Directors as recommended by the school committees and municipal officers and listed as follows: The total number of directors shall be , and the town of shall be entitled to directors, etc.

Article : To choose \_\_\_\_\_ school director(s) to represent the town on the Board of School Directors of the School Administrative District.  
(number)

Where coterminous school districts exist or there is indebtedness outstanding for school construction or the purchase of personal property used for school purposes in any of the municipalities concerned, the following additional article must be acted upon similarly:

Article : To see if the municipality will vote to authorize the district to assume full responsibility for amortizing the following listed indebtedness now outstanding in the municipalities

and school districts comprising the School Administrative District under consideration. (The list must include the name of the obligated municipality or school district, type of obligation, amount unpaid, interest rate and the payment schedule for all outstanding school indebtedness of all the municipalities and school districts comprising the School Administrative District under consideration.)

Existing community school districts may become School Administrative Districts on approval of the board and may suspend operation as a community school district if each of the participating municipalities acts affirmatively on an article similar in form to the following, prior to accepting the other articles required in this section:

Article           : To see if the municipality will vote to authorize the           Community School District, of which said municipality is a part, to suspend operation as a community school district and organize and operate as a School Administrative District in accordance with action on the following article.

Municipalities, including all of those participating in an existing community school district, may form a School Administrative District on approval of the board and suspend the operation of the community school district if each of such participating municipalities acts affirmatively on an article similar in form to the following, and acts affirmatively on each of the other articles required in this section.

Article           : To see if the municipality will vote to authorize the suspension of the           Community School District in order to organize and operate as a part of a larger School Administrative District.

In the event it is proposed to suspend the operation of a community school district pursuant to either of the immediately preceding articles, the above article with respect to the assumption of indebtedness will be modified to include the outstanding indebtedness of the community school district. The creation of any such community school district and all proceedings taken in connection with the issuance of such outstanding indebtedness are hereby ratified, validated and confirmed.

When affirmative action is taken in accordance with the preceding articles in each of the participating municipalities, said district shall, upon the date that it takes over the operation of the public schools within its jurisdiction, become eligible to the benefits of sections 3456 and 3518 and become responsible for assessing in all the participating municipalities in the new School

Administrative District, collecting and paying over to the trustees of the community school district each year the funds necessary to amortize all outstanding capital outlay indebtedness existing at the time when the operation of the community school district was suspended.

When a School Administrative District is to be formed under the last paragraph of section 213 or where the study filed with and approved by the board requires that the proposed School Administrative District contract for the education of the pupils in grades 9 through 12 with a designated academy, the following article must be acted upon:

Article \_\_\_\_\_ : To see if the municipality will vote to join with the municipalities of \_\_\_\_\_ to form a School  
(naming them)

Administrative District, which district is hereby authorized and directed to accept the contract offer of \_\_\_\_\_ for the schooling of pupils in grades 9 through 12.

Approval of each article in each municipality shall be by a majority vote of those voting in each municipality on each article. (1959, c. 353, §§ 4, 5; 1961, c. 294; c. 417, § 123.)

1957, c. 364, § 1-B; c. 443, § 2; 1959, c. 353, §§ 4, 5; 1961, c. 294; c. 417, § 123.

## § 216. Organization

When the residents of each of the municipalities have voted upon the formation of the proposed School Administrative District and all of the other questions submitted therewith, the clerks of each of the municipalities shall make a return to the board 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 each of the articles or questions submitted to them, have voted in the affirmative, and have elected the necessary school directors to represent each municipality, and that all other steps in the formation of the proposed School Administrative District are in order and in conformity with law, the board shall make a finding to that effect and record the same upon its records. The board shall further assign a number to each School Administrative District so formed in the order of their formation in the following form, "School Administrative District No. \_\_\_\_\_," which shall be the official title of the School Administrative District.

The board shall, immediately after making its finding, issue a certificate of organization in such form as the board shall de-

termine. The original certificate shall be delivered to the school directors on the day that they organize and a copy of said certificate, attested by the secretary of the board, shall be filed and recorded in the office of the Secretary of State. The issuance of such certificate by the board shall be conclusive evidence of the lawful organization of the School Administrative District. The School Administrative District shall not be operative until the date set by the board under section 302.

1957, c. 364, § 1-B; c. 443, § 2; 1959, c. 353, § 6; 1961, c. 294.

### § 217. Transfer of property and assets

When the territory of a school district, community school district or a municipality falls within a School Administrative District which has been issued its certificate of organization and has assumed the management and control of the operation of the public schools within the School Administrative District, the school directors shall determine what school property and buildings owned by any school district, community school district or municipality within the School Administrative District shall be necessary to carry on the functions of the School Administrative District and shall request in writing that the trustees of any school district, community school district or the municipal officers of any municipality within the School Administrative District convey the title to such school property and buildings to said School Administrative District, and the trustees of a school district, community school district or the municipal officers of any municipality shall make such conveyance notwithstanding any other provision in the charter of said school district, community school district, municipality or other provisions of law.

Where a municipality falls within a School Administrative District which has been issued its certificate of organization and has assumed the management and control of the operation of the public schools within the School Administrative District and such municipality has entered into a lease agreement with the Maine School Building Authority under which agreement the Maine School Building Authority has constructed and leased to the municipality a school building or buildings, and the future rentals due the Maine School Building Authority from said municipality under said lease have been assumed by the School Administrative District, the School Administrative District shall, by operation of law, become the assignee of the municipality and assume all the duties and liabilities under said lease agreement which had here-

tofore been the responsibility of the municipality, and the Maine School Building Authority, upon the completion of all rental payments and other conditions in said lease, shall convey the title to the School Administrative District notwithstanding any provision in the lease or other provision of the law to the contrary.

Where in the formation of a School Administrative District the School Administrative District has assumed the outstanding indebtedness of any municipality, school district or community school district, the directors of the School Administrative District shall be entitled to the use of any sinking fund or any other moneys that have been set aside by the municipality, school district or community school district for the payment of any or all of the indebtedness which has been assumed by the School Administrative District notwithstanding any other provision of any Act of the Legislature or any provision of any trust agreement to the contrary, provided that the school directors shall only use the money so set aside for the purpose of retiring any or all of the assumed indebtedness for which it was previously dedicated.

Any municipality within any School Administrative District that has taken over the operation of the public schools may raise and appropriate moneys and transfer the same by vote of the municipality to the School Administrative District solely for capital outlay purposes.

Any municipality within the confines of an area which has applied to the board to be approved as a School Administrative District may raise and appropriate money by proper vote of the town to be transferred to the proposed School Administrative District, if and when said district takes over the operation of the public school within its jurisdiction. Said moneys shall be used only for capital outlay purposes. If the town shall vote to make such a transfer, it shall not have the right to rescind such vote until 9 months after said vote or until the proposed School Administrative District fails of approval either by the board or by the residents in the several towns within the proposed School Administrative District, whichever is earlier.

1957, c. 443, § 2; 1961, c. 294.

### **§ 218. Reserve fund for capital outlay purposes**

A School Administrative District may establish a reserve fund for capital outlay purposes as defined in section 3518, by adding a request therefor in the district budget. The Board of School Directors shall be the trustees of the reserve fund. The reserve

fund shall be deposited or invested by the treasurer under the direction of the Board of School Directors.

Reserve funds, trust funds and all permanent funds shall be deposited or invested by the treasurer, by direction of the Board of School Directors as follows:

**1. Banks.** Deposited in savings banks, trust companies and national banks in the State;

**A.** The balance at any time in any bank shall not exceed the amount insured by the Federal Deposit Insurance Corporation.

**2. Building and loan associations.** Invested in shares of building and loan or savings and loan associations organized under state law.

**3. Investments as savings banks.** Invested according to the law governing the investment of the funds of savings banks in Title 9, chapter 51.

**A.** For the purpose of this section, the words "deposits of a bank" or their equivalent, as used in Title 9, chapter 51, mean the total assets of the reserve fund, trust fund or other permanent fund being invested, but the limitation concerning the maximum amount which may be invested in a security or type of security under Title 9, chapter 51 applies only to an investment in that security or type of security which exceeds \$2,000.

The Board of School Directors shall have the authority to expend all or any part of the sum in the reserve fund when authorized to do so by a vote of the district at a district meeting or a district budget meeting, when an article for such a purpose is set out in the warrant calling the meeting.

1957, c. 364, § 1-B; c. 443, § 2; 1959, c. 353, § 11.

## § 219. Application of general law

All schools operated by School Administrative Districts, when established, shall be considered the official schools of the participating municipalities and all provisions of the general law relating to public education shall apply to said schools. Special courses and other bases for allocations to municipalities because of these schools shall be paid by the State directly to the treasurer of the administrative districts.

1957, c. 364, § 1-B; c. 443, § 2.

**§ 220. Transportation**

The superintendent of the School Administrative District, with the approval of the school directors, shall procure the conveyance of all public school pupils residing in the district a part or the whole of the distance to and from the nearest suitable school for the number of weeks for which the schools are maintained in each year when such public school pupils reside at such a distance from the school as in the judgment of the school directors shall render such conveyance necessary. In all cases, conveyance so provided shall conserve the comfort, safety and welfare of the pupils conveyed and shall be in charge of a responsible driver who shall have control over the conduct of the pupils while they are being conveyed. Contracts for said conveyance may be made for a period not to exceed 3 years. Such contracts shall be executed by the superintendent of the School Administrative District with the approval of the school directors. The expenditures for transportation shall be considered as expense of operation of said school or schools in such School Administrative Districts.

Whenever a parent or guardian having children of compulsory school age in his care domiciles such children in a location remote from and inaccessible to schools or public highways, he shall be personally responsible for the cost of boarding these children within walking distance to an established public school or for providing suitable conveyance to a public highway. Failure to so provide conveyance or board shall be considered a violation of the truancy law and punished accordingly.

1957, c. 364, § 1-B; c. 443, § 2.

**§ 221. Superintendent of School Administrative District**

The superintendent of the School Administrative District and such other staff personnel as the school directors deem necessary shall be selected by a majority vote of the full membership of the Board of School Directors and said superintendent of schools shall have the same duties, powers and responsibilities with respect to the schools within the School Administrative District and the Board of School Directors as are prescribed by law for public school superintendents. In addition to other duties assigned him, he shall serve as secretary and treasurer of the School Administrative District or Districts and keep an accurate record of all meetings of the School Administrative District.

1957, c. 364, § 1-B; c. 443, § 2.



### § 222. Additions and dissolution

The residents of and the territory within any municipality not originally in an administrative district may be included by proceeding as follows: The school committee of the municipality wishing to join with an existing School Administrative District may file an application with the State Board of Education on a form to be prepared by the board. 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. This agreement shall be forwarded to the secretary of the School Administrative District and to the clerk of the municipality desiring to join the district. Within 45 days after receipt of said agreement by the clerk of the municipality desiring to join the district, said municipality, at a regular or special town meeting or city election, shall vote on the agreement in the following form:

Article : To see if the municipality will vote to join School Administrative District No. . . . . as a participating municipality of the district under the following terms and conditions: (Set forth agreement recommended by the State Board of Education.)

The town clerk of the municipality desiring admission shall send a certified copy of the results of the vote to the secretary of the School Administrative District. If the board of directors finds that the vote was in the affirmative the directors shall call a district meeting in accordance with section 225 to vote upon the following article:

Article : To see if the district will vote to admit the municipality of . . . . . into School Administrative District No. . . . . as a participating municipality of the district under the following terms and conditions: (Set forth agreement recommended by the State Board of Education.)

The clerks of all the municipalities voting on the above questions shall forward to the State Board of Education a certified report of the total number of affirmative and negative votes cast on the above questions. Upon receipt of the results of the voting from all municipalities, the board shall meet, compute and record the result of the voting and shall notify by registered mail the town clerk of the municipality seeking to join the School Administrative District and the secretary of the School Administrative District of the results of said vote. If the board finds that a majority of the voters voting on the question in the district and

a majority of the voters voting on the question in the municipality desiring to join the district favor admission of the municipality into the district, the board shall make a finding to that effect and record the same upon its records. The board shall, after making its findings, issue an amended certificate for School Administrative District No. . . . . which shall be filed in the same manner as the original certificate. The issuance of said amended certificate by the board shall be conclusive evidence of the admittance of that municipality to the School Administrative District.

When the residents of a participating municipality desire to petition for dissolution of a School Administrative District, such petition shall become effective when approved by a  $\frac{2}{3}$  vote of the legal voters in said municipality present and voting at a special meeting, called and held in the manner provided by law for the calling and holding of town meetings or city elections. The question to be voted upon shall be in the following form: Be it resolved by the residents of the Town of . . . . . that a petition for dissolution be filed with the directors of School Administrative District No. . . . . No . . . . . Yes . . . . . No such vote on a petition for dissolution shall be permitted while such School Administrative District shall have outstanding indebtedness. Outstanding indebtedness is defined as bonds or notes for capital outlay purposes issued by the school directors pursuant to approval thereof in a district meeting of such School Administrative District, or obligations to the Maine School Building Authority pursuant to any contract, lease or agreement made by the school directors pursuant to approval thereof in a district meeting of such School Administrative District, but shall not include any indebtedness of any municipality assumed by the School Administrative District, nor any contract, lease or agreement of the Maine School Building Authority to which by operation of law the School Administrative District has become the assignee.

After residents of a participating municipality have voted on a petition for dissolution, the clerk thereof shall forthwith give written notices by registered mail to the secretary of said School Administrative District and the State Board of Education of the total number of affirmative and the total number of negative votes. If the board finds that  $\frac{2}{3}$  of the voters voting on said petition have voted in the affirmative, the board shall make a finding of fact to that effect and record it in its records.

The State Board of Education, after consultation with the district board of directors and municipal officers of the participating municipalities, shall prepare an agreement for dissolution.

The board is authorized to employ competent advisors in preparing an agreement. Said agreement shall be submitted to the directors of the School Administrative District and the municipal officers of the participating municipalities meeting in joint session. The board shall notify said directors and said municipal officers by registered mail of the time and place of said joint session and shall include in said notice a copy of the proposed agreement of dissolution. The notice shall be mailed at least 10 days prior to the date set for the joint session. Said municipal officers and school directors may offer suggestions for change in the agreement. The board shall note and consider said suggestions in preparing the final agreement for dissolution. Within 60 days of the receipt of the petition for dissolution and such necessary extensions of time as may be granted by a majority of the participating municipalities as represented by their municipal officers, the final agreement shall be forwarded to the secretary of the School Administrative District by registered mail.

The State Board of Education shall determine the date upon which all municipalities shall vote upon the dissolution agreement submitted to them. The board shall give written notice by registered or certified mail, at least 10 days before the date so set, which notice shall be sent directly to the town or city clerk of each municipality having a right to vote on the dissolution agreement. The town or city clerk shall immediately notify the municipal officers upon receipt of said notice and said municipal officers shall meet and immediately issue a warrant for a special town meeting or city election, as the case may be, and the date of said town meeting or said city election so called shall be the date as designated by said board and no other date shall be used. In the respective warrants the municipal officers shall direct that the polls shall be open at 10 o'clock in the forenoon and shall remain open until 7 o'clock in the afternoon.

Except as otherwise herein provided, the voting at meetings held in towns shall be held and conducted in accordance with Title 30, sections 2061 to 2064, even though the town has not accepted the provisions of said section 2061, and the voting at meetings in cities shall be held and conducted in accordance with Title 21. In no event shall voting by absentee ballot be permitted.

Article : To see if the residents of School Administrative District No. . . . . will vote to dissolve School Administrative District No. . . . . subject to the terms and conditions of the dissolution agreement dated . . . . . 19. . . . Yes . . . . . No. . . . .

The dissolution agreement need not be printed on the ballot. Copies of said agreement must be posted in each participating municipality in the same manner as specimen ballots must now be posted under Title 30, chapter 207.

No participating municipality within a district which has voted on dissolution may petition for dissolution within 6 months after the date of the district vote on such dissolution. The expense of employment of competent advisors in preparing the agreement of dissolution shall be paid by the State Board of Education. In the event the School Administrative District votes not to dissolve, the municipality petitioning for dissolution shall reimburse the board for said expenses. In the event the School Administrative District votes to dissolve, the School Administrative District shall reimburse the board for said expenses.

The town and city clerks shall, within 24 hours of determination of the results of the vote in their respective municipalities, certify the total number of votes cast in the affirmative and the total number of votes cast in the negative on the article to the board.

Upon receipt of the results of the voting from all municipalities, the board shall meet, compute and record the total number of votes cast in the municipalities within the School Administrative District in the affirmative and the total number of votes cast in the negative on the article submitted. The board shall notify the directors of the district by registered mail of the results of said vote. If the board finds that a majority of the voters voting on the article have voted in the affirmative they shall notify the directors of the district to forthwith execute the terms of the agreement for dissolution.

If within 7 days of the computation and recording of the results of the voting from all municipalities, the municipal officers of any participating municipality request in writing a recount of the votes in the district, the board shall forthwith cause the check lists and all the ballots cast in all of the participating municipalities to be collected and kept at the board office so they may be recounted by interested municipalities. The town clerks of the participating municipalities are authorized to deliver said check lists and ballots to the board notwithstanding any other provision of the law to the contrary. The board shall resolve any question with regard to disputed ballots.

When the agreement for dissolution has been executed by the directors of the School Administrative District, the directors shall notify the board by registered mail that the agreement of

dissolution has been executed. A complete certified record of the transaction involved in the dissolution shall be filed with the board and the board shall forthwith issue a certificate of dissolution sent by registered mail to be filed with the directors of the School Administrative District, and a copy recorded in the office of the Secretary of State.

The foundation program allowance for former member towns of dissolved School Administrative Districts in the year of dissolution shall be as follows:

The average of the 2 preceding years' resident pupil count, as hereinafter defined, of the member town shall be multiplied by the applicable dollar allowance set forth in Table 1, section 3722. Resident pupil count shall be the average April 1st pupil count of the 2 school years next preceding the convening of the Legislature. This computation shall be made for elementary and secondary pupils, except that any member town, which prior to entrance into the School Administrative District did not operate elementary or secondary schools, but operated on a tuition basis with other towns, shall be considered for the purpose of this computation as having paid the average tuition rate of the School Administrative District for the 2 preceding years.

To these amounts so computed, there shall be added the average of the expenditures by the School Administrative District for the 2 preceding school years for board for the benefit of students of the member town; in addition, there shall be added an allowance for transportation expenditures which shall be computed by dividing the sum of the School Administrative District's transportation expenses for the 2 preceding years by the resident pupil count of the School Administrative District and multiplying the result by the resident pupil count of the member town.

The average net operating cost of the School Administrative District for the 2 preceding years as computed for the district shall be apportioned to the member town in the same proportion as the resident pupil count of the member town bears to the total resident pupil count of the School Administrative District. The subsidy to individual member towns shall then be computed in accordance with section 3723.

For the biennium following the dissolution year, the above computation shall be made for that portion of the 2-year period during which the town was actually a member of the School Administrative District; the computation for the balance of the 2-year period shall be made as set forth in sections 3722 and 3723.

1957, c. 364, § 1-B; c. 443, § 2; 1961, c. 270, § 1; c. 294; 1963, c. 20, §§ 1-4.

**§ 223. Regulations**

Subject to this chapter and sections 1901, 1902, 3456, 3518 and 3721 to 3723, the State Board of Education may make such reasonable regulations as it may find necessary for carrying out the purposes, provisions and intent of these sections.

1957, c. 443, § 2; 1961, c. 294; c. 417, § 125.

**§ 224. Operational date; teachers' and superintendents' contracts**

Notwithstanding the prior issuance of a certificate of organization, a School Administrative District shall not be in operation and shall not exercise any of its powers granted until the date set by the State Board of Education, as provided in section 302. On the date so set, the School Administrative District shall become operative and the school directors shall assume the management and control of the operation of all of the public schools within the district and the municipalities, coterminous school districts or community school districts within said district on and after said date shall have no responsibility for the operation or control of the public schools within their respective jurisdictions, provided on the date so set the balance then remaining in the school accounts of the municipalities within said School Administrative District shall become the property of the School Administrative District and shall be paid over to the treasurer of the School Administrative District in equal monthly installments not to exceed 12 in number notwithstanding section 3453. The money held by any coterminous school district or any community school district within the School Administrative District shall also be transferred to the treasurer of the School Administrative District in the same manner and with the same limitations notwithstanding any provision in any charter to the contrary.

On the date that the School Administrative District becomes operative, the contracts between the municipalities within the district and all teachers shall automatically be assigned to the School Administrative District as of the date so set and the School Administrative District shall be responsible for assigning the teacher to his duties and making payments upon said contract. The contracts between the superintendents of schools and any of the municipalities within said district shall automatically be assigned to

the School Administrative District as of the date so set and the superintendents' duties with regard to the towns within the School Administrative District shall be thereafter determined by the school directors and the School Administrative District shall pay thereafter the proportionate part of superintendents' salary that the municipality or municipalities heretofore were required to pay.

1957, c. 443, § 2; 1961, c. 294.

### § 225. District meetings

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, 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:

**1. Warrant.** Each district meeting shall be called by a warrant. The warrant shall be signed by a majority of the school directors.

**2. Procedure.** The warrant for calling the district meeting shall be as follows:

**A.** It shall specify that the municipal officers of the municipalities within the School Administrative District shall call a meeting or city election within 45 days of the date of the warrant.

**B.** It shall set forth the article or articles to be acted upon at each municipal meeting or election.

**C.** It shall be directed to any resident of the School Administrative District by name ordering him to notify the municipal officers of each of the municipalities within the School Administrative District to call a town meeting or city election within 45 days of the date of the warrant.

**D.** Service of the warrant issued by the school directors shall be made upon the town or city clerk of each of the municipalities within the School Administrative District by delivering an attested copy of the warrant in hand within 3 days of the date of the warrant.

E. The person who serves the warrant shall make a return on the warrant stating the manner of service and the time when it was given.

F. The town or city clerk so served shall immediately notify the municipal officers within his municipality of this fact and the municipal officers shall forthwith meet and issue their warrants to call town meetings or city elections and the warrants and other notices for said meetings shall be in the same manner as provided in Title 21.

G. The voting at meetings held in towns shall be held and conducted in accordance with Title 30, sections 2061 to 2064, even though the town has not accepted the provisions of said section 2061.

H. The voting at meetings in cities shall be held and conducted in accordance with Title 21.

1961, c. 360, § 3; c. 366, § 6-A; c. 417, § 126.

3. Form. Form of said articles:

A. When a meeting is called for the purpose of authorizing the issuance of bonds or notes for capital outlay purposes, the questions to be inserted in all warrants shall be substantially as follows:

The following question is to be used where a new school is to be constructed:

“Shall the school directors of School Administrative District No. \_\_\_\_\_ be authorized to issue bonds or notes in the name of said district for capital outlay purposes in an amount not to exceed \$\_\_\_\_\_, to construct a \_\_\_\_\_

(primary or secondary school)

to be located at \_\_\_\_\_?

(specifically define lot where school is to be erected)

Yes No”

Question to be used for the purpose of authorizing the issuance of bonds and notes for other capital outlay purposes shall be substantially as follows:

“Shall the school directors of School Administrative District No. .... be authorized to issue bonds or notes in the name of said district for capital outlay purposes in an amount not to exceed \$. .... for the purpose of .....

(here state purpose of capital outlay)

Yes No”



**B.** When a meeting is called for the purpose of approving the addition to the School Administrative District of a municipality or municipalities, the article shall be in the form set forth in section 222.

**C.** When a meeting is called for the purpose of approving a proposed lease agreement with the Maine School Building Authority, the article shall be exactly as is set forth in the proposed lease agreement.

**D.** When a meeting is called for the purpose of authorizing the school directors to contract for the schooling of secondary pupils, the article to be inserted in all warrants shall be as follows:

“Shall the school directors of School Administrative District No. . . . . be authorized to contract in the name of the name of the district with . . . . . for  
(Name of Administrative Unit or Academy)  
the schooling of secondary pupils for a term of . . . . . years?

Yes  No

**E.** When a meeting is called for the purpose of authorizing the school directors to dispose of real property, the article to be inserted in all warrants shall be as follows:

“Shall the school directors of School Administrative District No. . . . . be authorized to dispose of . . . . . ?  
(describe the property)

Yes  No

1959, c. 353, § 14; 1961, c. 366, §§ 6-B, 6-C; c. 417, § 127.

**4. Return and counting of votes.**

**A.** The town and city clerks shall, within 24 hours of the determination of the results of the vote in their respective municipalities, certify the total number of votes cast in the affirmative and the total number of votes cast in the negative on each article to the school directors.

**B.** As soon as all of the results from all of the municipalities have been returned to the school directors, the directors shall meet and compute the total number of votes cast in all of the municipalities within the School Administrative District in the affirmative and the total number of votes cast in all of the municipalities within the School Administrative District in the negative on each article submitted.

**C.** If they determine that there were more votes cast in the affirmative than there were in the negative, on a given

article, they shall so declare and find that the article has passed and enter this declaration and their computations upon their records and send certified copies of the same to each town or city clerk within the School Administrative District.

**D.** If the school directors determine that the total number of votes cast on any article in the affirmative is equal to or less than the total votes cast in the negative, they shall declare that the article has not passed and enter their declaration and computations on their records and send certified copies of the same to the town and city clerk of each of the municipalities within the School Administrative District.

1957, c. 443, § 2; 1959, c. 353, § 14; 1961, c. 270, § 2; c. 360, § 3; c. 366, §§ 6-A, 6-B, 6-C; c. 417, §§ 126, 127; 1963, c. 20, § 5.

## § 226. —Budget

When a district budget meeting is called to approve the operating school budget, reserve fund for capital outlay purposes or capital outlay appropriations, the school directors shall call such meetings as follows:

**1. Warrant.** Each district meeting shall be called by a warrant. The warrant shall be signed by a majority of the school directors.

**2. Form.** The warrant for calling the district meeting shall be as follows:

**A.** It shall specify the time and place of the meeting.

**B.** It shall set forth the proposed school budget in a manner as provided in this section, and no other business may be acted upon.

**C.** It shall be directed to any resident of the School Administrative District by name ordering him to notify all voters within such district to assemble at the time and place appointed.

**D.** An attested copy of the warrant shall be posted by the person to whom it is directed in some conspicuous public place in each of the municipalities within the School Administrative District at least 7 days before the meeting.

**E.** The person who gives notice of the meeting shall make his return on the warrant stating the manner of notice in each municipality and the time when it was given.

**3. School budget.** The warrant shall set forth the school budget in the following form:

School Budget for Year 19	to 19	
Operating School Budget		\$.....
Reserve Fund for Capital Outlay Purposes		\$.....
Capital Outlay Appropriation		\$.....
Contingency Fund		\$.....
Total Expenditures		\$.....
<hr/>		
Capital Budget Expenditure		
Assumed Indebtedness (Principal and Interest)		\$.....
Capital Outlay Bonds or Notes (Principal and Interest)		\$.....
Rentals to Maine School Building Authority		
(a) Assumed by District		\$.....
(b) District Leases		\$.....
Total Capital Expenditures		\$.....
<hr/>		
Total Proposed Expenditures (Operating and Capital)		\$.....
Subtract District Balances		\$.....
Subtract Anticipated State Subsidies		\$.....
Subtract Other Anticipated Income		\$.....
<hr/>		
District Appropriation to be Assessed to Member Municipalities		\$.....

1959, c. 353, § 13; 1961, c. 153.

**4. Applicable provisions.** The following provisions apply to the district meeting:

**A.** Each person whose name appears on the district voting list may attend and vote at a district budget meeting.

**B.** The secretary of the school directors shall open the meeting by call for the election of a moderator, receiving and counting votes for moderator, and swearing in the moderator.

**C.** As soon as he has been elected and sworn, the moderator shall preside at the meeting.

**D.** The secretary to the school directors shall record accurately all the votes of the district meeting.

**5. District voting lists.** The school directors shall appoint a resident of said district to make and keep a voting list of all residents in the district eligible to vote. This person shall be known as the registration clerk. The registration clerk shall compile his voting list from the voting list of all the municipalities lying within the School Administrative District. At least 14 days before any budget meeting, the registration clerk shall bring his voting list up to date by comparing his list with those voting lists found in the municipalities within the School Administrative District and by making such additions and deletions as he finds necessary. No additions or deletions shall be made in the 14-day period prior to said meeting.

1957, c. 443, § 2; 1959, c. 353, §§ 12, 13; 1961, c. 153.

## SUBCHAPTER II

### SCHOOL DIRECTORS

Sec.

- 301. Membership.
- 302. Election.
- 303. Reapportionment.
- 304. Power to borrow money.
- 305. Financing.
- 306. Additional powers and duties; quorum.
- 307. Disposal of property over \$1,000; bids; sales to town; procedures.

#### § 301. Membership

All of the affairs of a School Administrative District shall be managed by a board of school directors which shall consist of not less than 5 nor more than 18 members, the exact number to be determined at the joint meeting of the municipal officers and school committee members as described in section 215. No municipality within any School Administrative District shall have less than one director to be elected by the municipality. The number of school directors that each municipality shall be entitled to shall be in accordance with the determination that has been previously made and voted on under section 215.

1957, c. 364, § 1-B; c. 443, § 2.

#### § 302. Election

For the purpose of nominations, school directors shall be considered municipal officials and shall be nominated in accordance

with Title 30, chapter 207 or in accordance with a municipal charter, whichever is applicable. Upon the election of the school directors, the clerks of the several municipalities within the School Administrative District shall forward the name of the directors elected for each municipality to the board with such other data with regard to their election as the board may require. Upon receipt of the names of all of the directors, the board shall set a time, place and date for the first meeting of the directors, notice thereof to be given in the same manner as set forth in section 215, to determine the length of their terms. The terms shall be determined by lot in accordance with the following table:

Total Number of School Directors	Term		
	1 Year	2 Years	3 Years
5	1	2	2
6	2	2	2
7	2	2	3
8	2	3	3
9	3	3	3
10	3	3	4
11	3	4	4
12	4	4	4
13	4	4	5
14	4	5	5
15	5	5	5
16	5	5	6
17	5	6	6
18	6	6	6

The directors shall serve their terms as determined at the organizational meeting and an additional period until the next regular election of the municipality. Thereafter the directors' terms of office shall date from the time of each municipality's regular election.

The directors shall enter on their records the determination so made. They shall elect a chairman and vice-chairman and such other officers as may be necessary, provided that prior to the election of said officers each director shall take the following oath before a dedimus justice, justice of the peace or notary public:

"I . . . . . do swear that I will faithfully discharge to the best of my abilities the duties incumbent on me as school director of School Administrative District No. . . . . according to the Constitution and laws of the State. So help me God."

The person taking such oath shall make a certificate to that effect and return it to the secretary of the School Administrative District who shall keep the same in the records of said district. When a school director is conscientiously scrupulous of taking an oath, the word "affirm" shall be used instead of "swear" and the words "this you do under the pains and penalty of perjury" instead of the words "so help me God."

At the expiration of the terms so determined the vacancy shall be filled for a term of 3 years and the school directors shall notify the municipal officers of the municipalities within the School Administrative District before the annual town meeting or before the regular city election if a city fall within the School Administrative District of the fact that a vacancy will occur so that the municipal officers in these municipalities may provide for the election of a school director or directors to fill the vacancy that will occur. All school directors shall serve until their successors are elected and qualified.

When a vacancy on the board of school directors occurs by reason of death, resignation or otherwise, the selectmen or municipal officers of the municipality that the director represented shall fill the vacancy by electing a director from the municipality to serve until the municipality shall fill the vacancy at its next annual town meeting or next regular city election. The person so chosen shall serve until his successor is elected and qualified. In case any member of the board of school directors shall remove from the municipality that he represents or be absent from said municipality for more than 90 days a vacancy shall be declared to exist by the board of school directors and the selectmen or municipal officers shall thereafter choose another director as provided.

No member of the board of school directors shall be employed as a teacher or in any other capacity in any public school that comes within the jurisdiction of the board of directors of which he is a member.

The school directors shall receive as compensation for the services \$5 for each board meeting that each attends. The superintendent of schools who shall serve as secretary and treasurer shall give a bond to the district in such sum and with such sureties as the directors may determine, which bond shall be deposited with the chairman. The expense of such bond shall be paid by the district. The treasurer's bond premium and fees paid members for attendance at meetings and all expenses of the district shall be paid from funds of the district by the treasurer on vouch-

ers presented and certified by the superintendent of schools and approved by a majority of the members of the board of school directors or a finance committee of that board duly appointed or elected annually by that board.

1957, c. 364, § 1-B; c. 443, § 2; 1959, c. 131; c. 323, § 1; c. 353, §§ 7, 8; 1961, c. 6, §§ 1, 2; c. 294.

### § 303. Reapportionment

Within one year after the official United States census statistics have been reported, or when requested by 10% of the number of voters voting for the gubernatorial candidates at the last state-wide election in the municipalities comprising the district, the board of school directors of each School Administrative District shall give at least 15 days' notice to each municipality comprising the School Administrative District of a meeting to determine the necessity of reapportionment of representation to the board of school directors.

Each municipality in a School Administrative District shall be represented at the meeting to determine the necessity for reapportionment by its municipal officers, district director or directors and 2 representatives from each municipality chosen at large by its municipal officials. Any change in representation made at this meeting shall be effective if approved by a vote of  $\frac{2}{3}$  of those present and voting and subject to the limitations of section 301.

Any change affecting any of the participating municipalities shall be reported to the board of school directors, who shall forthwith order the subordinate administrative units so affected to take such action as to comply with the reapportionment as directed by the board.

1959, c. 323, § 2.

### § 304. Power to borrow money

To procure funds for authorized purposes of the district, the school directors of said district are authorized to borrow funds to pay current operating expenses of the district but said loans must be repaid within one year. To procure funds for capital outlay purposes, as defined in section 3518, the school directors 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 12½% of the total of the last preceding state valuation of all the participating towns including all out-

standing school indebtedness assumed by said district. The issuing of bonds or notes for capital outlay purposes shall first be approved by a majority of those qualified voters of the district voting at an election called by the school directors and held as provided in section 225, except as is otherwise provided in this section. Contracts, leases or agreements with the Maine School Building Authority shall not be debts or liabilities within this section. Each bond or note shall have inscribed upon its face the official name of the School Administrative District and shall be dated at such time or times, shall be in such denomination, shall bear such rate of interest, not exceeding 6% per year, payable semiannually, be in such form subject to this chapter, and be sold in such manner, at public or private sale as the school directors shall determine, provided that in no event shall bonds be sold for less than par. Each issue of said bonds shall mature in substantially equal annual installments, so that the first installment shall be payable not later than 2 years after the date of issue and the last installment not later than 25 years from the date thereof. When an issue of capital outlay bonds or notes has been properly authorized, the board of school directors prior to the issuance of said bonds or notes may borrow in anticipation of their sale by issuing temporary notes and renewal notes, the total face amount of which does not exceed at any one time outstanding the authorized amount of the capital outlay bonds or notes. If the proceeds of an issue of bonds are used in whole or in part to fund temporary notes of the district or renewals thereof, the period during which such issue of bonds shall be outstanding, plus the period of the loan represented by such temporary notes or renewals thereof, shall not exceed 25 years. All notes or bonds issued by said school directors on behalf of an administrative district shall be signed by the treasurer and countersigned by the chairman of said board of school directors, and if coupons be issued, each coupon shall be attested by a facsimile signature of the treasurer printed thereon. Said notes and bonds, and loans to pay current operating expenses, contracts, leases and agreements with the Maine School Building Authority shall be legal obligations of said district, which is declared to be a quasi-municipal corporation within the meaning of Title 30, section 5053, and all the provisions of said section shall be applicable thereto.

If the board of school directors deems it advisable to issue bonds or notes and the amount of the issue does not exceed 1% of the last preceding state valuation of all the participating towns in the district, the directors may call a district meeting to approve



the issuance of said bonds or notes as provided in this section or they may proceed as follows: When the board of school directors of the district determine that bonds or notes for capital outlay purposes shall be issued in an amount not to exceed 1% of the total of the last preceding state valuation of all the participating towns, they shall pass a resolution to that effect, setting forth the amount of the proposed issue and the purpose or purposes for which the proceeds will be used.

The secretary of the board of school directors shall, within 5 days of the date of the passage of said resolution, cause attested copies of the resolution to be posted in 3 public and conspicuous places within each of the municipalities within the district, and make a return of his posting stating the time and place thereof, which return shall be kept with the records of the district, and a copy of the return shall be mailed to each of the municipal officers of each town within the district. If, within 35 days of the date of the passage of the resolution, sufficient petitions are filed with the secretary of the board of school directors requesting a vote of the district to approve or disapprove the issuance of the bonds or notes, the secretary shall immediately notify the board of school directors and they shall call a district meeting for said purpose as set forth in section 225. To be sufficient to require the calling of a district meeting, the petitions must contain the signatures of at least 10% of the residents in the district eligible to vote on the date that the resolution was adopted, as shown by the district voting list.

1957, c. 364, § 1-B; c. 443, § 2; 1959, c. 353, § 9; 1961, c. 5; c. 417, § 124.

### § 305. Financing

The directors of each School Administrative District shall annually before February 1st of each year determine the sum required each year to meet the bonds falling due and what further sum is necessary to meet the interest on said bonds or other obligations, and the rentals and other charges provided in any contract, lease or agreement with the Maine School Building Authority, and all other expenses necessary for the operation of the administrative district, including temporary loans. Before March 1st of each year, the school directors shall hold a district budget meeting. At this meeting the budget shall be thoroughly explained and the voters of the district shall be given an opportunity to be heard. A budget must be approved by the voters of the district at the district budget meeting. At the district budget

meeting, only those items dealing with the expenses necessary to operate the School Administrative District, appropriations for the reserve fund and capital outlay appropriation shall be subject to change by the voters. If a budget for the operation of the School Administrative District is not approved prior to April 1st in any given year, the budget as submitted by the school directors for operational expenses, reserve fund and capital outlay purposes shall be automatically considered the budget approved for operational expenses in the ensuing year, and the other amounts submitted for payment of bonds falling due and interest thereon, including temporary loans for capital purposes and rentals and other charges provided in any contract, lease or agreement with the Maine School Building Authority, shall be added together and the total amount assessed as follows. 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; and to 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. Any municipality may use the proceeds from gifts or trust funds allocated for educational purposes to reduce the actual amount of assessment to the local taxpayers. In the year in which the tax is so levied the treasurer of each municipality shall pay the amount of the tax so levied in 3 equal installments to the treasurer of the School Administrative District. The first installment shall be paid on or before May 1st, the 2nd installment shall be paid on or before September 1st and the 3rd installment on or before December 31st. In the case of the failure of the treasurer of the said municipality to pay any installment or any part thereof on or before the dates set out above in the year in which the said tax is levied, the treasurer of the administrative district shall issue his warrant for the amount of said tax or so much thereof as shall then remain unpaid to the county sheriff requiring him to levy by distress and sale on the real and personal property of any of the residents of said administrative district living in the municipality where such default takes place and the sheriff or any of his deputies shall execute said warrant, except as otherwise provided. The same authority as is vested in county officials for the collection of county taxes under the Revised Statutes is

vested in the school directors of said district in relation to the collection of taxes within such municipality. If any School Administrative District which has financed school construction through the Maine School Building Authority shall be delinquent in its payment to the authority, the department shall make payment to the authority in lieu of such School Administrative District from any amounts properly payable to such district by such department, not exceeding the amount then presently due to the authority from such district.

1957, c. 364, § 1-B; c. 443, § 2; 1959, c. 353, § 10.

### § 306. Additional powers and duties; quorum

In addition to other duties prescribed, school directors may select an unofficial name for the School Administrative District and may elect a finance committee whose members shall all be directors, said committee to consist of 3 members. The school directors shall operate such elementary school units as they deem necessary. The school directors shall not transact any business at any meeting unless a majority of the total number of directors is present. The school directors shall have the authority to purchase land outside of the geographical limits of the district and erect a school or schools thereon, if because of location of other schools within the school district or transportation difficulties the building of said school or schools within the district would not be in the best interests of the district. The school directors shall adopt bylaws for the regulation of the affairs of the board and the conduct of its business.

No real property shall be disposed of by the school directors until authorized by the legal voters of the School Administrative District as required by section 225, except that the board of directors may vote to return unused school property to the town where the same is located provided the School Administrative District had assumed no indebtedness or lease obligation on account of said property.

1957, c. 443, § 2; 1959, c. 353, § 15; 1961, c. 366, § 6-D; 1963, c. 287, § 1.

### § 307. Disposal of property over \$1,000; bids; sales to town; procedures

In disposing of real property in any amount and personal property in an amount exceeding \$1,000, school directors shall advertise for sealed bids by publication at least 5 days prior to the

date set for closing of bids in a newspaper having general circulation in the territory embracing the School Administrative District, except that the directors may sell school property and buildings to the town where the same are located at a mutually acceptable price without advertising, provided the School Administrative District had assumed no indebtedness or lease obligation on account of said property.

All bids shall be in writing, sealed, with outside envelope or wrapper plainly marked "Bid, not to be opened until" (with appropriate date inserted), and mailed to or filed with the superintendent of the School Administrative District. No director or employee of the School Administrative District shall open such bid until the appointed time. At the time and place stated in the public notice, all bids shall be opened publicly by the superintendent of the School Administrative District or, in his absence or disability, by any director designated for the purpose by the chairman of the school directors, and such bid openings shall be open to the public. If any citizens who are not School Administrative District directors or employees, or if any representatives of the press are present, such bids shall at that time either be made available for examination by such citizens or press representatives, or shall be read aloud in a manner to be heard plainly by those in attendance.

1961, c. 366, § 6-E; 1963, c. 287, § 2.