



# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 1083

S.P. 316

In Senate, March 15, 2011

**An Act To Allow the Town of Arundel To Withdraw from Its  
Regional School Unit without Penalty**

(EMERGENCY)

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Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

*Joseph G. Carleton Jr.*

JOSEPH G. CARLETON, JR.  
Secretary of the Senate

Presented by Senator SULLIVAN of York.  
Cosponsored by Representative PARRY of Arundel.

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

3           **Whereas,** the Maine Revised Statutes, Title 20-A, chapter 103-A requires the  
4 reorganization of school administrative units into regional state-approved units of  
5 administration; and

6           **Whereas,** the Arundel School Department and School Administrative District No.  
7 71 complied with the requirements of the school district reorganization law by forming  
8 Regional School Unit No. 21, a regional state-approved unit of administration, which  
9 became operational on July 1, 2009; and

10           **Whereas,** the requirements of the school district reorganization law pertaining to the  
11 withdrawal of a single municipality from a regional school unit are not practical for the  
12 Town of Arundel; and

13           **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
14 the meaning of the Constitution of Maine and require the following legislation as  
15 immediately necessary for the preservation of the public peace, health and safety; now,  
16 therefore,

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

18           **Sec. 1. Exemption from requirements for withdrawal of a single**  
19 **municipality from a regional school unit.** Notwithstanding the Maine Revised  
20 Statutes, Title 20-A, section 1466, the Commissioner of Education shall authorize the  
21 Town of Arundel to withdraw from Regional School Unit No. 21.

22           **Sec. 2. Exemption from penalties applicable to a nonconforming school**  
23 **administrative unit.** Upon the withdrawal of the Town of Arundel from Regional  
24 School Unit No. 21 as set forth in section 1 and notwithstanding the Maine Revised  
25 Statutes, Title 20-A, section 15696, the Town of Arundel is not subject to the penalties  
26 applicable to a nonconforming school administrative unit.

27           **Sec. 3. Exemption from school administrative unit reorganization**  
28 **requirements; submission of notice of intent.** Upon the withdrawal of the Town of  
29 Arundel from Regional School Unit No. 21 as set forth in section 1 and notwithstanding  
30 the Maine Revised Statutes, Title 20-A, chapter 103-A and Public Law 2007, chapter  
31 240, Part XXXX, as amended, the Town of Arundel is not required to join with another  
32 regional school unit or alternative organizational structure. The Town of Arundel is  
33 required to submit a notice of intent to the Commissioner of Education for the purpose of  
34 receiving approval as a regional school unit pursuant to Title 20-A, section 1461,  
35 subsection 3, paragraph C, subparagraph (2).

36           In administering Title 20-A, chapter 103-A and for the purposes of implementing  
37 Public Law 2007, chapter 240, Part XXXX, section 36, as amended, the Commissioner of  
38 Education shall determine that the Town of Arundel has exercised due diligence and  
39 demonstrated all reasonable and practical means of satisfying the requirements of Title

1 20-A, section 1461, shall approve a notice of intent submitted by the Town of Arundel  
2 and shall provide an exemption from and accommodations to Title 20-A, chapter 103-A  
3 similar to those provided to other school administrative units that were approved as  
4 regional school units pursuant to the requirements as set forth in Title 20-A, section 1461,  
5 subsection 3, paragraph C, subparagraph (2).

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

8 **SUMMARY**

9 This bill exempts the Town of Arundel from certain requirements contained in the  
10 school administrative unit reorganization law. The bill accomplishes the following.

11 1. It exempts the Town of Arundel from the requirements pertaining to the  
12 withdrawal of a single municipality from a regional school unit.

13 2. It provides that the Town of Arundel may not be subject to the penalties applicable  
14 to a nonconforming school administrative unit.

15 3. It exempts the Town of Arundel from the requirement that it join with another  
16 regional school unit or alternative organizational structure.

17 4. It provides that, upon the submission of a notice of intent to the Commissioner of  
18 Education, the commissioner is required to treat the Town of Arundel in a manner similar  
19 to the treatment of other school administrative units that were approved as regional  
20 school units after receiving exemptions from and accommodations to the Maine Revised  
21 Statutes, Title 20-A, chapter 103-A.