

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND FIFTEEN

—
H.P. 717 - L.D. 1048

**An Act To Allow School Administrative District No. 27 To Transfer
Ownership of the St. Francis Elementary School to the Town of St. Francis**

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

Whereas, School Administrative District No. 27 is the owner of the St. Francis Elementary School building and its site in the Town of St. Francis; and

Whereas, the board of directors of School Administrative District No. 27 and the municipal officers of the Town of St. Francis have agreed that it would be in the best interests of School Administrative District No. 27 and the Town of St. Francis for School Administrative District No. 27 to transfer the St. Francis Elementary School building and its site to the Town of St. Francis so that a portion of the property could be leased back to School Administrative District No. 27 for educational purposes for continued use as an elementary school; and

Whereas, the Maine Revised Statutes, Title 20-A, section 4103, subsection 3 provides for the transfer of control or ownership of a school building that has been closed for lack of need and that does not have any anticipated use as a school building to the municipal officers or inhabitants of the town, but does not authorize transfer of a school building to a municipality if the school administrative unit intends to continue to use a portion of the building for school purposes; and

Whereas, the 2015-2016 school year may begin before the expiration of the 90-day period; 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. Authority to convey. Notwithstanding the Maine Revised Statutes, Title 20-A, chapter 202, the board of directors of School Administrative District No. 27 may transfer to the Town of St. Francis ownership of the St. Francis Elementary School building and its site, subject to the approval of the voters of the Town of St. Francis. Following the transfer of ownership, the municipal officers of the Town of St. Francis may lease a portion of the St. Francis Elementary School building and its site back to School Administrative District No. 27 for use for educational purposes. The initial term of the lease may be extended for any number of subsequent terms. Subject to applicable law, the municipal officers of the Town of St. Francis are authorized to renovate, use, lease, sell, mortgage or otherwise convey any portion of the St. Francis Elementary School building and its site, subject, however, to any rights and interests of School Administrative District No. 27 as lessee of a portion of the property for educational purposes. As long as School Administrative District No. 27 leases any portion of the property for educational purposes, the other uses of the property must be compatible with use of the property for educational purposes as reasonably determined by the board of directors.

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