

STATE OF MAINE

 IN THE YEAR OF OUR LORD

TWO THOUSAND NINETEEN

 H.P. 1248 - L.D. 1753

**An Act Amending the Charter of the Boothbay-Boothbay Harbor
Community School District**

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

Sec. 1. P&SL 1953, c. 156, §4, first ¶ is amended to read:

Sec. 4. Referendum on bond issues. When the trustees ~~shall~~ have authorized the issue of any bonds, an attested copy of the vote of the trustees ~~shall~~ must be forthwith filed with the municipal officers of each of the participating towns and published in a newspaper having a circulation in the district not later than 8 days following the day on which such vote was adopted by the trustees. A vote of the trustees authorizing an issue of bonds in the principal amount of less than \$250,000 under this ~~act~~ Act does not become effective before the expiration of a period of ~~45~~ 21 days from the date upon which such vote is adopted. If within said 21-day period a petition, signed by 300 registered voters of the district not less than 100 of whom ~~shall~~ must be from each participating town, ~~shall be~~ is filed with the chairman or the secretary of the board of trustees, asking that the question of whether such bonds should be issued be submitted to the voters of the district, such vote of the trustees ~~shall be~~ is further suspended from becoming effective and the trustees shall immediately reconsider such vote. If such vote is not rescinded by the trustees, the trustees shall submit the question of whether such bonds ~~shall~~ may be issued to the voters of the district at a special meeting of the qualified voters in the district to be held in said district within 60 days of their vote using the same procedures as set forth herein for an issue of bonds in the principal amount of \$250,000 or greater under this Act. If the trustees vote to authorize an issue of bonds in the principal amount of \$250,000 or greater under this Act, the trustees shall submit the question of whether such bonds may be issued to the voters of the district at a special meeting of the qualified voters in the district to be held in said district within 60 days of their vote. Said special meeting ~~shall~~ must be called and held as provided in section 16 hereof except that the notice ~~shall~~ must set forth the vote of the trustees authorizing said bonds, the approval or disapproval of the issue of which is to be submitted to the voters of the district, together with the proposed form of the ballot to be used at such special meeting. At such special meeting the vote on the question of whether such bonds ~~shall~~

~~may~~ be issued ~~shall~~ must be by ballot, the form of which ~~shall~~ must be substantially as follows:

Sec. 2. P&SL 1953, c. 156, §9, as amended by P&SL 1969, c. 27, §3 and P&SL 1975, c. 28, is further amended to read:

Sec. 9. Application of general law; certain exceptions. The community schools, for which provision is herein made, when established ~~shall be~~ are considered the official schools of the participating towns to the extent consistent with action taken pursuant to sections 18 and 18-A and all provisions of general law relating to public education ~~shall~~, so far as applicable, apply to said schools. Teaching positions, special courses and other basis for allocations to towns because of this school, ~~shall~~ must be divided according to the ~~proportional~~ proportional assessment of each participating town for operating expenses as determined in section 13 of this ~~act~~ Act. Unless a specific procurement method is otherwise provided for by state law, a competitive bidding process must be used for any procurement of the district in the amount of \$20,000 or greater, in which bids from competing contractors, suppliers or vendors must be invited by openly advertising the scope, specifications and terms and conditions of the proposed contract as well as the criteria by which the bids will be evaluated. Transportation of pupils ~~shall~~ must be provided by the district as provided by law and the expenditure for transportation ~~shall be~~ is considered an expense of operation of the schools. Tuition charges for pupils from outside the district accepted at this school ~~shall~~ must be determined by the trustees, notwithstanding other provisions in the general law; ~~provided, however, except that~~ such tuition shall may not exceed the average cost per pupil paid by a participating town for the year preceding the year for which the tuition is paid, as determined by the trustees.

Sec. 3. P&SL 1953, c. 156, §12, 2nd sentence is amended to read:

Said voters may determine and include in said capital budget the sum, if any, to be set aside in the current year for a capital reserve fund; ~~provided, however, except that the an amount which may up to \$140,000 for a capital reserve fund must be set aside in any one year shall not exceed \$12,500 for the 2020 fiscal year, which runs from July 1, 2019 to June 30, 2020.~~ For each fiscal year after 2020 the capital reserve fund set-aside amount must equal the greater of the prior year's set-aside amount or the prior year's set-aside amount adjusted by the percentage change in the Consumer Price Index for the most recently concluded calendar year.