



# Town of Wiscasset

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## MEMORANDUM

To: Board of Selectmen  
Fr: Laurie Smith, Town Manager  
Re: School Committee Election Process  
Dt: November 8, 2013

Since the Town vote to withdraw from the RSU on Tuesday, November 5<sup>th</sup>, the Town Clerk and I have been in conversations with the Town Attorney, the Department of Education, and the Maine Municipal Association to understand the legal options available to the Town and determine the best course of action. Once the Town voted to withdraw, it next needed to finalize the withdrawal process. This included the immediate notification of the vote to the Commissioner of Education, along with notice by certified mail of the vote tallies, and a certified copy of the executed withdrawal agreement. The Town Clerk completed these tasks on Wednesday and Thursday of this week.

Now that the withdrawal process is nearing completion the Board needs to address the issue of the election of School Committee members. The School Board members for a municipality with a K-12 system are elected for staggered 3-year terms in accordance with Title 20-A, Section 2305. Normally, these elections take place at the annual meeting of the Town; however the same statute allows that should a vacancy on a school committee be declared, that the vacancy may be filled through an election at a town meeting called for this purpose. Customarily, the secret ballot process (Title 30-A, Section 2528) includes 40 days for nomination paper filings and 45 days for the election period. This 85 day process would time an election in mid-February. Due to fact that the Town must be prepared to operate its own school system by July 1, 2014, we searched for another option.

Section E of Title 30-A, Section 2528 allows for the municipal officers to fill a vacancy through a shortened election process. The Selectmen may designate a period not less than 10 days for the filing of nomination papers and may then hold an election 14 days after the filing of the papers. This means that an election could be held for School Committee members within 30 days. Even though the election process can be as short as 24 days, the Selectmen should also consider the time necessary for citizens to become aware of the open positions, gathering of signatures for the nomination process, and the absentee voting time period. Another issue to consider is the fact that we are headed into a holiday season which may impact the process as well. Should the Selectmen wish to proceed they need to declare the vacancies within the School Board and set an election date to fill the positions. The Clerk and I have reviewed the calendar and have a suggested timeline which I have outlined below:

### November 2013

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4	5	6	7	8	9
10	11 <b>A</b>	12	13	14 <b>B</b>	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

### December 2013

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 <b>C</b>	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17 <b>D</b>	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

### January 2014

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6	7 <b>E</b>	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

### Suggested Timeline

**A** – Selectmen meet to declare vacancies in School Committee and set a special election.

**B** – Nomination papers are available to public and notice appears in local papers advertising open positions.

**C** – Nomination papers must be turned in by close of business allowing for 19 days to collect signatures. We could legally close the nomination process in 10 days or November 25<sup>th</sup> to quicken the process

**D** – First suggested election date if nomination papers close on December 2<sup>nd</sup>. This would allow for 8 days of absentee voting. The election could be on the 10<sup>th</sup> if nomination papers were closed on November 25<sup>th</sup>

**E** – Second suggested election date in order to avoid the Christmas holidays and allow for a longer absentee voting process. If this election date is chosen we could lengthen the nomination process to Thursday, December 5<sup>th</sup> and have absentee ballots available Monday, December 9<sup>th</sup>.

To Charles DiPerri, Constable, of the Town of Wiscasset in the County of Lincoln.

GREETINGS: In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of Wiscasset, in said County and State, qualified by law, to vote in Town affairs to meet at the Wiscasset Community Center on Tuesday, the \_\_\_\_\_ of November AD, 2013 from 8:00 A.M. until 8:00 P.M., then and there to act on the following articles:

Article 1. To elect a moderator to preside at said meeting.

Article 2. To vote by secret ballot for School Committee elected positions.

- One school committee position to expire June 10, 2014
- Two school committee positions to expire June 8, 2015
- Two school committee positions to expire June 14, 2016

And you are directed to serve this warrant by posting a copy thereof, attested by you, in a public and conspicuous place in said town, seven days, at least, before the time of holding said meeting.

Hereof, fail not, and due return make of this warrant to the Selectmen or Town Clerk, with your doings thereon, on or before the time of holding said meeting.

Given under our hands this \_\_\_\_\_ day of November, 2013.

\_\_\_\_\_  
Edward Polewarczyk, Chairman

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Judith Colby, Vice Chairman

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Pamela Dunning, Selectman

\_\_\_\_\_  
Timothy Merry, Selectman

\_\_\_\_\_  
Jefferson Slack, Selectman

True Attest Copy: \_\_\_\_\_

Posted on: \_\_\_\_\_