

§1352. Method of calling a district referendum

A district referendum shall be initiated by a warrant prepared and signed by a majority of the board of directors. The warrant shall be countersigned by the municipal officers in the municipality where the warrants are posted. [PL 1981, c. 693, §§5, 8 (NEW).]

1. Municipal officers. The warrant shall direct the municipal officers within the district to call a referendum on a date and time determined by the board of directors. A warrant shall be prepared and distributed at least 30 days prior to the date of the referendum, except that a warrant for a school district budget referendum held in accordance with section 1305, subsection 2, shall be prepared and distributed at least 14 days prior to the date of the referendum.

A. The warrant shall be directed to a resident of the district by name, ordering the resident to notify the municipal officers of each of the municipalities within the district, to call a town meeting or city election on the date specified by the board of directors. No other date may be used. The person who serves the warrant shall make a return on the warrant stating the manner of services and the time when it was given. [PL 1981, c. 693, §§5, 8 (NEW).]

B. The warrant shall be served on the municipal clerk of each of the municipalities within the district by delivering an attested copy of the warrant in hand within 3 days of the date of the warrant. The municipal clerk, on receipt of the warrant, shall immediately notify the municipal officers within the municipality. The municipal officers shall forthwith meet, countersign and have the warrant posted. [PL 1981, c. 693, §§5, 8 (NEW).]

C. The warrants and other notices for the referendum must be in the same manner as provided in Title 21-A, except that the district board of directors shall hold a public hearing at least 7 days before the referendum vote. At least 7 days before the public hearing, the board of directors shall give notice of the public hearing by having a copy of the proposed referendum, together with the time and place of hearing, posted in the same manner required for posting a warrant under this section. [PL 1999, c. 93, §1 (AMD).]

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2. Content of the warrant. The warrant shall set forth the articles to be acted on in each municipal referendum. The articles shall have the following form.

A. When a referendum is called for the purpose of authorizing the issuance of bonds or notes for capital outlay purposes, the articles shall be substantially as follows.

(1) "Shall the school directors of School Administrative District No..... be authorized to issue bonds or notes in the name of this district for school construction purposes in an amount not to exceed \$..... to construct a (elementary or secondary school) to be located at..... (specifically defined lot where school is to be erected)

Yes No "

(2) "Shall the school director of School Administrative District No..... be authorized to issue bonds or notes in the name of this district for school construction or minor capital projects in an amount not to exceed \$..... for the purpose of (here state purpose of school construction project)

Yes No "

(3) "Shall the school directors of School Administrative District No..... be authorized to use the bond issue or notes in an amount not to exceed \$..... which was voted by the district on (date) to construct a (elementary or secondary school) to be located at (specifically define lot where school is to be located)

Yes No "

(4) "Shall the school directors of School Administrative District No. be authorized to construct a (elementary or secondary school) to be located at (specifically defined lot where school is to be located) with the total project cost not to exceed \$...... and to issue bonds or notes in the name of this district for school construction purposes in an amount not to exceed \$...... with the balance of the total project costs to be derived from (description of other sources of funds such as initial state share where approved for current fiscal year funding, proceeds from insured losses, money from federal sources, other noneducational funds, etc.)

Yes No " [PL 1985, c. 506, Pt. B, §§14, 18 (AMD).]

B. When a district votes to change the site of its school construction project using the article in paragraph A, subparagraph (3), the date of authorization of the project is the original date the voters authorized the board of directors to issue bonds or notes for that project. [RR 1991, c. 2, §57 (COR).]

C. When a referendum is called for the purposes of approving the addition of a municipality to the district, the article must be in the form set forth in section 1465, subsection 3. [PL 2023, c. 405, Pt. A, §37 (AMD).]

D. When a referendum 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. [PL 1981, c. 693, §§5, 8 (NEW).]

E. When a referendum is called for the purpose of authorizing the school board to contract for the schooling of secondary pupils, the article shall be as follows.

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

Yes No " [PL 1983, c. 485, §15 (AMD).]

F. [PL 1983, c. 422, §9 (RP).]

G. When a referendum is called for the purpose of authorizing a change in the method of sharing costs in the district, the article shall be as follows.

"Shall the method of sharing costs in School Administrative District No..... be changed from the present method (describe) to the following method: (describe)

Yes No " [PL 1981, c. 693, §§5, 8 (NEW).]

H. When a referendum is called for the purposes of accepting or rejecting a prospective gift, the article shall be as follows.

"Shall the school directors of School Administrative District No..... be authorized to accept a prospective gift under the following conditions? (set forth terms and conditions)

Yes No " [PL 1981, c. 693, §§5, 8 (NEW).]

I. When a referendum is called for the purpose of approving the agreement to transfer a municipality from one district to another district, the article must be the form set forth in section 1467, subsection 2. [PL 2023, c. 405, Pt. A, §38 (AMD).]

[PL 2023, c. 405, Pt. A, §§37, 38 (AMD).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1983, c. 422, §9 (AMD). PL 1983, c. 485, §15 (AMD). PL 1985, c. 506, §§B14,18 (AMD). PL 1989, c. 414, §5 (AMD). RR 1991, c. 2, §57 (COR). PL 1999, c. 93, §1 (AMD). PL 2023, c. 405, Pt. A, §§37, 38 (AMD).

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