

20-A §1305-B. BUDGET VALIDATION REFERENDUM

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Notwithstanding sections 1302, 1305, 1306, 1307 and 15693, after January 31, 2001, the procedure for approval of the annual budget of a school administrative district provided under sections 1304 and 1305 may be changed only in accordance with this section and section 1305-A. The budget validation referendum process provided in this section may not be adopted for use in a school administrative district unless the cost center summary budget format provided in section 1305-A is also adopted. A school administrative district using the alternative voting procedures established in section 1305 may reconsider that use only if as part of that reconsideration the voters adopt use of the cost center summary budget format provided in section 1305-A or the cost center summary budget format and the budget validation referendum process provided in this section. [2005, c. 683, Pt. A, §22 (AMD).]

1. Budget validation. Following development of the annual school administrative district budget and approval at a district budget meeting as provided in section 1305-A, a referendum may be held in the school administrative district as provided in this section to allow the voters to validate or reject the total budget adopted at the district budget meeting.

[1999, c. 710, §5 (NEW) .]

2. Approval of budget validation referendum process. An article to establish the budget validation referendum process or the cost center summary budget format together with the budget validation referendum process may be placed on a warrant for a referendum vote by either a majority vote of the board of directors or a written petition filed with the board of directors by at least 10% of the number of voters voting in the last gubernatorial election in the municipalities in the school administrative district. The board of directors shall place the article on the next scheduled warrant or an earlier one if determined appropriate by the board of directors. If adopted by the voters, the cost center summary budget format or the budget validation referendum process takes effect beginning in the next budget year or the following budget year if the adoption occurs less than 90 days before the start of the next budget year. Once approved by the voters, the cost center summary budget format and the budget validation referendum process may not be changed.

[1999, c. 710, §5 (NEW) .]

3. Validation referendum procedures. The budget validation referendum must be held on the 3rd day, other than Saturday, Sunday or a legal holiday, following the scheduled date of the district budget meeting. The vote at referendum is for the purpose of approving or rejecting the total district budget approved at the district budget meeting. The board of directors shall provide printed information to be displayed at polling places to assist voters in voting. That information is limited to the total amounts proposed by the board of directors for each cost center summary budget category article, the amount approved at the district budget meeting and a summary of the total authorized expenditures.

If approved by the voters of the school administrative district, an advisory question may be added to the budget validation referendum ballot allowing voters to indicate whether they find the budget too high or too low. The issue of whether to place the advisory question on the ballot may be considered by the voters as part of the adoption of the budget validation referendum process or may be submitted to the voters separately for approval following the procedures described in subsection 2.

[1999, c. 710, §5 (NEW) .]

4. Budget validation referendum voting. The method of calling and voting at a budget validation referendum is as provided in sections 1352 and 1353, except as otherwise provided in this subsection or as is inconsistent with other requirements of this section.

A. A public hearing is not required before the vote. [1999, c. 710, §5 (NEW) .]

B. The warrant for a district budget meeting to be followed by a budget validation referendum may be a consolidated warrant covering both. [1999, c. 710, §5 (NEW).]

C. The warrant and absentee ballots must be delivered to the municipal clerk at least 7 days before the date of the district budget meeting. [1999, c. 710, §5 (NEW).]

D. Absentee ballots received by the municipal clerk may not be processed or counted unless received after the conclusion of the district budget meeting and before the close of the polls. [1999, c. 710, §5 (NEW).]

E. All envelopes containing absentee ballots received before the conclusion of the district budget meeting or after the close of the polls must be marked "rejected" by the municipal clerk. [1999, c. 710, §5 (NEW).]

F. The article to be voted on must be in one of the following forms.

(1) In school administrative districts that have not approved inclusion on the ballot of the advisory question described in subsection 3, the article must be substantially as follows.

"Shall the School Administrative District No. budget for the school year that was adopted at the district budget meeting on be approved?

Yes No"

(2) In school administrative districts that have approved the inclusion on the ballot of the advisory question described in subsection 3, the article must be substantially as follows.

"Shall the School Administrative District No. budget for the school year that was adopted at the district budget meeting on be approved?

Yes No"

The following is a nonbinding expression of opinion for the consideration of the school administrative district board of directors.

"I find the budget adopted at the district budget meeting to be:

Too high Too low"

[1999, c. 710, §5 (NEW).]

[1999, c. 710, §5 (NEW) .]

5. Failure to approve budget. If the voters do not validate the budget approved in the district budget meeting at the budget validation referendum vote, the board of directors shall hold another district budget meeting in accordance with sections 1303 and 1304 at least 10 days after the referendum to vote on a budget approved by the board of directors. The budget approved at the district budget meeting must be submitted to the voters for validation at referendum in accordance with this section. The process must be repeated until a budget is approved at a district budget meeting and validated at referendum. If a budget is not approved and validated before July 1st of each year, section 1308 applies.

[1999, c. 710, §5 (NEW) .]

6. Reconsideration of budget validation referendum process. Every 3 years, school administrative districts that have accepted the budget validation referendum process shall consider continued use of the process. The warrant at the budget validation referendum in the 3rd year following adoption or continuation of the referendum process must include an article by which the voters of the school administrative district may indicate whether they wish to continue the process for another 3 years. A vote to continue retains the process for 3 additional years. A vote to discontinue the process ends its use beginning with the following budget year and prohibits its reconsideration for at least 3 years.

[1999, c. 710, §5 (NEW) .]

SECTION HISTORY

1999, c. 710, §5 (NEW). 2005, c. 683, §A22 (AMD).

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