

## §15904. Local vote

Prior to design and funding approval by the state board, a school construction project, except a small scale school construction project as defined in section 15901, subsection 4-A, must receive a favorable vote conducted in accordance with the following. [PL 2013, c. 167, Pt. B, §4 (AMD).]

**1. Municipal schools.** In a municipality where the responsibility for final adoption of the school budget is vested in a municipal council by municipal charter or in a town meeting, the vote shall be by referendum in accordance with the appropriate provisions set forth in Title 21-A and Title 30-A, except that the filing requirement contained in Title 30-A, section 2528, subsection 5, does not apply. [PL 1987, c. 737, Pt. C, §§60, 106 (RPR); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

**2. School administrative districts.** In a school administrative district the vote must be conducted in accordance with section 1305 or sections 1351 to 1354. [PL 1999, c. 81, §11 (AMD).]

**3. Community school districts.** In a community school district, the vote shall be conducted in accordance with Title 30-A, sections 2528 to 2532. The return and counting of votes shall be conducted in accordance with the procedures established in section 1353, subsection 3. The district school committee shall:

A. Issue a warrant ordering the municipalities within the district to place the school construction article on the ballot; and [PL 1981, c. 693, §§5, 8 (NEW).]

B. Prepare and furnish the required number of ballots for carrying out the vote. [PL 1981, c. 693, §§5, 8 (NEW).]

[PL 1987, c. 737, Pt. C, §§61, 106 (AMD); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

**3-A. Regional school units.** In a regional school unit, the vote must be conducted in accordance with chapter 103-A. [PL 2007, c. 240, Pt. XXXX, §35 (NEW).]

**4. Form.** The article shall indicate:

A. [PL 1985, c. 248, §5 (RP).]

B. [PL 1985, c. 248, §5 (RP).]

C. [PL 2005, c. 12, Pt. WW, §8 (RP).]

D. The estimated amount of the additional operating costs during each of the first 2 years; and [PL 1981, c. 693, §§5, 8 (NEW).]

E. The school administrative unit is responsible for the local share of annual principal and interest payments for this school construction project included in the total cost of education appropriated pursuant to section 15690, subsection 1, if any, and for the annual principal and interest payments for the non-state-funded portion of this school construction project. [PL 2005, c. 12, Pt. WW, §9 (AMD).]

[PL 2005, c. 12, Pt. WW, §§8, 9 (AMD).]

**5. Career and technical education regions.** In a career and technical education region, the vote must be conducted in accordance with sections 1351 to 1354 and section 8465. References in sections 1351 to 1354 to school administrative unit and board of directors mean "career and technical education region" and "cooperative board," respectively.

[RR 1991, c. 2, §72 (COR); PL 2003, c. 545, §5 (REV).]

**6. Permanent space lease-purchase projects.** A permanent space lease-purchase project, as defined in section 15901, subsection 4-B, whose costs are wholly eligible as debt service costs for subsidy purposes under section 15672, subsection 2-A, paragraph B must receive a favorable vote of the legislative body of the school administrative unit. A permanent space lease-purchase project whose lease-purchase costs are not eligible as debt service costs for subsidy purposes under section 15672, subsection 2-A, paragraph B must receive a favorable vote of the legislative body conducted in accordance with this section, except that subsection 4 does not apply. The vote may authorize the school board or school committee to enter into a mortgage, security interest or other encumbrance on the permanent space lease-purchase project determined to be necessary for the permanent space lease-purchase project.

[PL 2005, c. 683, Pt. B, §15 (AMD).]

#### SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1985, c. 161, §4 (AMD). PL 1985, c. 248, §§3-5 (AMD). PL 1985, c. 506, §§B15,16,18 (AMD). PL 1985, c. 570, §§1,2 (AMD). PL 1985, c. 737, §A46 (AMD). PL 1987, c. 98, §§6,7 (AMD). PL 1987, c. 402, §A131 (AMD). PL 1987, c. 737, §§C60,C61, C106 (AMD). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,C10 (AMD). RR 1991, c. 2, §72 (COR). PL 1999, c. 81, §§11,12 (AMD). PL 2003, c. 545, §5 (REV). PL 2005, c. 12, §§WW8,9 (AMD). PL 2005, c. 683, §B15 (AMD). PL 2007, c. 240, Pt. XXXX, §35 (AMD). PL 2013, c. 167, Pt. B, §4 (AMD).

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