

§1305. Alternative voting procedures

If requested before January 31, 2001 by a written petition of at least 10% of the number of voters voting in the last gubernatorial election in the municipalities within the district, the board of directors shall cause the following article to be voted on by the voters of the member municipalities.

"Shall School Administrative District No..... require that the voting at future district budget meetings and special district budget meetings be done by referendum within each member municipality of the district instead of using the district meeting procedure?

Yes No " [PL 1999, c. 710, §3 (AMD).]

1. Procedure. The procedure for voting on the article shall be as follows.

A. On receipt of a request and if the request complies with the requirement of this section, the board of directors shall immediately notify the municipal officers within the district of the receipt of the request. [PL 1981, c. 693, §§5, 8 (NEW).]

B. The municipal officers of each municipality within the district shall then cause the article to be placed on the ballots for that municipality for the next statewide election occurring at least 45 days after the date on which the municipal officers received the notice. [PL 1983, c. 485, §12 (AMD).]

C. The warrants, notices and voting procedures to be followed within a municipality, including absentee voting procedures, shall be the same as those provided in Title 21-A, except that the duties of the Secretary of State shall be performed by the board of directors. [PL 1989, c. 502, Pt. A, §51 (AMD).]

D. Municipal clerks shall, within 24 hours of the determination of the results of the vote in their municipality, certify to the board of directors the total number of votes cast in the affirmative and in the negative on the article. [PL 1981, c. 693, §§5, 8 (NEW).]

E. As soon as all of the results from all of the municipalities have been returned to the board of directors, the board shall meet and compute the total number of votes cast in the affirmative and in the negative on the article in all of the municipalities within the district. [PL 1981, c. 693, §§5, 8 (NEW).]

F. If the board of directors determines that there were more votes cast in the affirmative than there were in the negative on the article, they shall declare that the article has passed. [PL 1981, c. 693, §§5, 8 (NEW).]

G. If the board of directors determines that the total number of votes cast on the article in the affirmative is equal to or less than those in the negative, they shall declare that the article has not passed. [PL 1981, c. 693, §§5, 8 (NEW).]

H. The board of directors shall enter their declaration and computations in their records and send certified copies of it to the municipal clerk of each municipality within the district. [PL 1981, c. 693, §§5, 8 (NEW).]

[PL 1989, c. 502, Pt. A, §51 (AMD).]

2. Application. Following the board of director's declaration that the article has passed, the board shall cause the voting at all future district budget meetings and to be called within each municipality within the district. The voting must be held in accordance with the procedures set out in sections 1351 to 1354, except that the warrant and absentee ballots for the meeting must be prepared and distributed to the municipal clerks at least 14 days prior to the date of the referendum. The board may hold informational meetings on voting procedure and budget prior to voting. The board shall be responsible for the form of the articles to be voted on in the municipalities, except as otherwise provided by law. [PL 1993, c. 372, §1 (AMD).]

3. Failure to approve a budget. If the budget or a portion of the budget fails to receive a majority vote at the referendum, the board of directors shall decide in a public proceeding whether subsequent votes on the portion of the budget that was defeated must be conducted in accordance with the referendum procedure in subsection 2 or at a district budget meeting held at a single place in the district in accordance with procedures in sections 1303 and 1304. Subsequent votes conducted in accordance with the referendum procedure in subsection 2 must be held within 45 days. Subsequent votes conducted in accordance with sections 1303 and 1304 must be held within 30 days. These referenda or meetings must be held solely for the purpose of approving an alternative operating school budget to replace the part of the proposed budget that the voters failed to approve. The board may continue in this manner until an alternative budget is adopted.

[PL 1993, c. 372, §2 (AMD).]

4. Reconsideration of alternative voting procedure.

[PL 1999, c. 710, §4 (RP).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1983, c. 422, §4 (AMD). PL 1983, c. 485, §12 (AMD). PL 1983, c. 639, §§1,2 (AMD). PL 1983, c. 770, §§2,3 (AMD). PL 1987, c. 637, §§1,2 (AMD). PL 1989, c. 502, §A51 (AMD). PL 1993, c. 372, §§1,2 (AMD). PL 1999, c. 710, §3 (AMD). PL 1999, c. 710, §§3,4 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Special Session of the 132nd Maine Legislature and is current through October 1, 2025. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.