

# MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

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ONE HUNDRED AND EIGHTH LEGISLATURE

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**Legislative Document**

**No. 1970**

H. P. 1909

Office of the Clerk of the House

The Committee on Education suggested. Approved for introduction by the Legislative Council pursuant to Joint Rule 24.

EDWIN H. PERT, Clerk

Presented by Mr. Wood of Sanford.

Cosponsors: Mrs. Post of Owls Head, Mr. Lougee of Island Falls, Mr. Carey of Waterville.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-EIGHT

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**AN ACT to Provide for Alternative Election Procedures for School Budgets on a Local Basis.**

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Be it enacted by the People of the State of Maine, as follows:

**Sec. 1. 20 MRSA § 226, 1st ¶**, as amended by PL 1965, c. 48, § 1, is repealed and the following enacted in its place:

**Except as provided in section 226-A, when a district budget meeting is called to approve the operating school budget, reserve fund for capital outlay purposes, contingency fund or capital outlay appropriations or for the purpose of pledging the credit of the district to obtain additional moneys for the operation of schools, or when a special district budget meeting is called by the directors declaring that an emergency exists, the directors shall call the meeting as follows.**

**Sec. 2. 20 MRSA § 226-A is enacted to read:**

**§ 226-A. Alternative voting procedures**

**1. Petition for local vote on budget items. When requested by 10% of the number of voters voting for the gubernatorial candidates at the last statewide election in all the municipalities comprising a school administrative district, the board of directors shall cause the following article to be voted on by the voters of the member municipalities:**

**“Shall District No. — vote to require that the voting at district budget meetings and special district budget meetings be done within each member municipality of the district?”**

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

**A. Upon receipt of a request under subsection 1, the board of directors, after a determination that the request complies with the requirements of this section, shall immediately notify the municipal officers of each municipality in the district of the receipt of the request.**

**B. The municipal officers of each municipality within the district shall then cause the article set out in subsection 1 to be placed on the ballots for that municipality for the next general or statewide special election occurring at least 120 days after the date on which the municipal officers received the notice required under paragraph A.**

**C. The warrants, notices and voting procedures to be followed within a municipality shall be the same as those provided in Title 21, except that the duties of the Secretary of State shall be performed by the board of directors. The absentee voting procedures authorized in Title 21 shall be used, except that the duties of the Secretary of State shall be performed by the board of directors.**

**D. The town and city clerks shall, within 24 hours of the determination of the results of the vote in their respective municipalities, certify the total number of votes cast in the affirmative and the total number of votes cast in the negative on the article to the board of directors.**

**E. As soon as all of the results from all of the municipalities have been returned to the board of directors, the directors shall meet and compute the total number of votes cast in all of the municipalities within the School Administrative District in the affirmative and the total number of votes cast in all of the municipalities within the School Administrative District in the negative on the article.**

**F. If they determine that there were more votes cast in the affirmative than there were in the negative on the article, they shall declare and find that the article has passed and enter this declaration and their computations upon their records and send certified copies of the same to each town or city clerk within the School Administrative District.**

**G. If the board of directors determine that the total number of votes cast on the article in the affirmative is equal to or less than the total votes cast in the negative, they shall declare that the article has not passed and enter their declaration and computations on their records and send certified copies of the same to the town or city clerk of each of the municipalities within the School Administrative District.**

**3. Procedure for local voting. Whenever it is determined that the voters within a School Administrative District have voted in the affirmative on the article set out in subsection 1, the board of directors shall cause the voting at all future district board meetings and special district budget meetings to be done within each municipality within the district, until such time, if any, that the voters of the district, in accordance with this section, otherwise indicate. The voting shall be held in accordance with the procedures set out in section 225 and the board of directors may hold any informational meetings which they feel are necessary in the manner and place which they feel appropriate prior to any voting. The board of directors shall also be responsible for the form of any articles to be voted on in the municipalities, except as otherwise provided by law.**

**4. Petition for district civil voting.** In any School Administrative District which has voted in the affirmative on the article set out in subsection 1, the board of directors shall, upon the request of 10% of the number of voters voting for the gubernatorial candidates at the last statewide election in all the municipalities comprising the School Administrative District, cause the following article to be voted on by the inhabitants of the municipalities within the district.

“Shall District No. vote to permit district budget meetings and special district budget meetings to be held at a single place within the district and to provide that the voting on items at those meetings shall be done at that single place within the district?”

**5. Voting Procedure.** The procedure to be followed in voting on this article shall be the same as that used for the voting on the article set out in subsection 1.

**6. District meeting procedure.** If it is determined that the voters within a School Administrative District have voted in the affirmative on the article set out in subsection 4, the board of directors shall cause all future district budget meetings and special district budget meetings to be held in accordance with the provisions and procedures set out in section 226.

**7. Limitation on vote.** No vote on any of the articles set out in subsections 1 and 4 shall be taken more often than once in any 2-year period.

#### STATEMENT OF FACT

The purpose of this bill is to provide an alternative procedure for voting on budget items within a School Administrative District. Presently the voting is done on the district level which presents a hardship to those who cannot travel to the meetings. This bill would permit the voters to vote within the municipalities of the district if they vote to use that procedure.