

MAINE STATE LEGISLATURE

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(New Draft of H.P. 1662, L.D. 2195)

SECOND REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document No. 2399

H.P. 1814 House of Representatives, March 30, 1984

Reported by Representative Locke from the Committee on Education and printed under Joint Rule 2.

Original bill presented by Representative Ridley of Shapleigh.
Copsponsored by Representative Carroll of Limerick, Senator Wood of York and Representative Seavey of Kennebunkport.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-FOUR

AN ACT Relating to Local Voting on School
Administrative District Budgets.

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

Sec. 1. 20-A MRSA §1304, sub-§6 is enacted to read:

6. Secret ballot. An article shall be voted on by secret ballot if 10% of those present and voting vote to have a secret ballot.

Sec. 2. 20-A MRSA §1305, sub-§2, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

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 municipi-

1 pality within the district. The voting shall be held
2 in accordance with the procedures set out in sections
3 1351 to 1354, except that the warrant for the meeting
4 shall be prepared and distributed at least 14 days
5 prior to the date of the referendum. The board may
6 hold informational meetings on voting procedure and
7 budget prior to voting. The board shall be responsi-
8 ble for the form of the articles to be voted on in
9 the municipalities, except as otherwise provided by
10 law.

11 Sec. 3. 20-A MRS §1305, sub-§3, as amended by
12 PL 1983, c. 422, §4, is repealed and the following
13 enacted in its place:

14 3. Failure to approve a budget. If the budget
15 or portion of the budget fails to receive a majority
16 vote at the referendum, the board of directors shall
17 decide in a public proceeding whether subsequent
18 votes on the portion of the budget which was defeated
19 shall be conducted in accordance with the referendum
20 procedure in subsection 2, or at a district budget
21 meeting held at a single place in the district, in
22 accordance with procedures in sections 1303 and 1304.
23 These referenda or meetings shall be held solely for
24 the purpose of approving an alternative operating
25 school budget to replace the part of the proposed
26 budget which the voters failed to approve. The board
27 may continue in this manner until an alternative bud-
28 get is adopted.

29 STATEMENT OF FACT

30 The new draft provides for the use of a secret
31 ballot if 10% of the voters at a district meeting of
32 a school administrative district vote to have a se-
33 cret ballot.

34 The new draft also allows for the warrant for a
35 referendum on a school budget for those school admin-
36 istrative districts opting for a referendum vote to
37 be posted 14 days rather than 30 days or more before
38 the referendum.

39 Finally, the new draft allows the board of direc-
40 tors of the school administrative district which has

1 adopted the referendum procedure for adopting budgets
2 to decide whether to use a referendum or district
3 meeting method of voting to determine the budget if
4 the original referendum vote defeated the budget or a
5 portion of the budget. At present, they are required
6 to use the district meeting method.

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