

## STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FOURTEEN

—  
H.P. 534 - L.D. 783

**An Act To Change the Voting Requirements for the Withdrawal of a  
Municipality from a Regional School Unit**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the changes made by this legislation could affect the makeup of regional school units; and

**Whereas,** it is imperative that this legislation take effect as soon as possible for regional school units to have sufficient time to implement these changes prior to the beginning of the next school year; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 20-A MRSA §1466, sub-§9,** as repealed and replaced by PL 2011, c. 678, Pt. J, §1, is amended to read:

**9. Required vote.** Before the municipality may withdraw from the regional school unit, the withdrawal agreement must be approved by a majority vote of those casting valid votes in the municipality, and the total number of votes cast for and against withdrawal at the municipal vote must equal or exceed 50% of the total number of votes cast in the municipality for Governor at the last gubernatorial election.

~~This subsection is repealed January 1, 2015.~~

**Sec. 2. 20-A MRSA §1466, sub-§9-A,** as enacted by PL 2011, c. 678, Pt. J, §2, is amended to read:

**9-A. Required vote; exception for a municipality of a school administrative district that was reformulated as a regional school unit.** A 2/3 vote of those casting valid votes in the municipality is required before a municipality that is a member municipality of a school administrative district that was reformulated as a regional school unit pursuant to Public Law 2007, chapter 240, Part XXXX, section 36, subsection 12, as amended by Public Law 2007, chapter 668, section 48, may withdraw from the regional school unit.

~~This subsection is repealed January 1, 2015.~~

**Sec. 3. 20-A MRSA §1466, sub-§9-B**, as enacted by PL 2011, c. 678, Pt. J, §3, is repealed.

**Sec. 4. 20-A MRSA §1466, sub-§10, ¶B**, as enacted by PL 2009, c. 580, §9, is amended to read:

B. A municipal vote on a withdrawal agreement if the agreement received less than ~~60%~~ 45% of the votes cast.

**Sec. 5. 20-A MRSA §1466, sub-§10-A** is enacted to read:

**10-A. Restriction on withdrawal petitions for a municipality of a school administrative district that was reformulated as a regional school unit.** A municipality that is part of a school administrative district that was reformulated as a regional school unit pursuant to Public Law 2007, chapter 240, Part XXXX, section 36, subsection 12, as amended by Public Law 2007, chapter 668, section 48, may not petition for withdrawal within 2 years after the date of:

A. A municipal vote on a petition for withdrawal if the petition received less than 45% of the votes cast; or

B. A municipal vote on a withdrawal agreement if the agreement received less than 60% of the votes cast.

**Sec. 6. 20-A MRSA §1466, sub-§13**, as amended by PL 2013, c. 167, Pt. A, §2, is further amended to read:

**13. Determination of results; execution of agreement.** Except for a school administrative district that was reformulated as a regional school unit pursuant to Public Law 2007, chapter 240, Part XXXX, section 36, subsection 12, as amended by Public Law 2007, chapter 668, section 48, if the commissioner finds that a majority of the voters voting on the article has voted in the affirmative and the total number of votes cast for and against the article equal or exceed 50% of the total number of votes cast in the municipality for Governor at the last gubernatorial election, the commissioner shall notify the municipal officers and the regional school unit board to take steps for the withdrawal in accordance with the terms of the agreement for withdrawal. For a municipality that is part of a school administrative district that was reformulated as a regional school unit pursuant to Public Law 2007, chapter 240, Part XXXX, section 36, subsection 12, as amended by Public Law 2007, chapter 668, section 48, if the commissioner finds that at least 2/3 of the votes validly cast in the municipality are in the affirmative, the commissioner shall notify the municipal officers and the regional school unit board to

take steps for the withdrawal in accordance with the terms of the agreement for withdrawal.

~~This subsection is repealed January 1, 2015.~~

**Sec. 7. 20-A MRSA §1466, sub-§13-A,** as enacted by PL 2011, c. 678, Pt. J, §5, is repealed.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.