Title 20-A: EDUCATION

Chapter 103: SCHOOL ADMINISTRATIVE DISTRICTS

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Maine Revised Statutes

Title 20-A: EDUCATION

Chapter 103: SCHOOL ADMINISTRATIVE DISTRICTS

Subchapter 1: PURPOSE

§1101. ORGANIZATION OF SCHOOL ADMINISTRATIVE UNITS

It is declared policy of the State to encourage the development of school administrative units of sufficient size to provide: [1981, c. 693, §§ 5, 8 (NEW).]

1. **Opportunity.** A more equalized educational opportunity for pupils;

[1981, c. 693, §§ 5, 8 (NEW) .]

2. **Programs.** Satisfactory school programs;

[1981, c. 693, §§ 5, 8 (NEW) .]

3. **Tax rates.** A greater uniformity of school tax rates among the units; and

[1981, c. 693, §§ 5, 8 (NEW) .]

4. **Public funds.** A more effective use of the public funds expended for the support of public schools.

[1981, c. 693, §§ 5, 8 (NEW) .]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW).

Subchapter 2: ORGANIZATION

§1201. CRITERIA FOR ESTABLISHING A SCHOOL ADMINISTRATIVE DISTRICT

(REPEALED)

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 2007, c. 240, Pt. XXXX, §6 (RP).

§1202. FORMATION OF DISTRICT

(REPEALED)

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1983, c. 485, §§7,8 (AMD). 1987, c. 402, Pt. A, §118 (AMD). 1987, c. 737, §§C36,C106 (AMD). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §§C8,C10 (AMD). 1993, c. 608, §1 (AMD). 2007, c. 240, Pt. XXXX, §7 (RP).

§1203. ISSUANCE OF A CERTIFICATE OF ORGANIZATION

(REPEALED)

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 2007, c. 240, Pt. XXXX, §8 (RP).

§1204. TRANSFER OF PROPERTY AND ASSETS

(REPEALED)

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 2007, c. 240, Pt. XXXX, §9 (RP).

§1205. OPERATIONAL DATE AND TRANSFER OF AUTHORITY

(REPEALED)

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1983, c. 480, §A16 (AMD). 2001, c. 588, §18 (AMD). 2007, c. 240, Pt. XXXX, §10 (RP).

§1206. APPLICATION OF GENERAL LAW

Schools operated by legally established school administrative districts shall be the official schools of the participating municipalities. The provisions of general law relating to public education shall apply to these schools. State funds for public schools shall be paid directly to the treasurer of the school administrative district. [1981, c. 693, §§ 5, 8 (NEW).]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW).

Subchapter 3: SCHOOL DIRECTORS

§1251. BOARD OF DIRECTORS

Provisions for a board of directors shall be as follows. [1981, c. 693, §§ 5, 8 (NEW).]

1. **Size.** The size shall be determined by the joint meeting under section 1203 or by the reapportionment committee under section 1255, but shall not be less than 5. It shall include at least one director from each municipality or subdistrict.

[1981, c. 693, §§ 5, 8 (NEW) .]

2. **Term of office.** In municipalities with annual elections, directors shall serve a 3-year term. In municipalities with biennial elections, directors shall serve a 4-year term. A director shall serve until a successor is elected and qualified.

[1983, c. 806, §13 (AMD) .]

3. **Terms of office under district formation.** The newly elected directors under a district formation or reapportionment plan shall meet and draw lots for the length of term specified as follows.

A. In municipalities with annual elections, 1/3 of the directors shall serve one-year terms, 1/3 shall serve 2-year terms and 1/3 shall serve 3-year terms. If the number of directors is not evenly divisible by 3, the first remaining director shall serve a 3-year term and the 2nd a 2-year term. [1981, c. 693, §§ 5, 8 (NEW).]

B. In municipalities with biennial elections, 1/2 of the directors shall serve a 4-year term and 1/2 a 2-year term. If the number of directors is not divisible by 2, the remaining director shall serve a 4-year term. [1981, c. 693, §§ 5, 8 (NEW).]

C. The directors shall serve their terms as determined at the organizational meeting and an additional period until the next regular election of the municipalities. Thereafter, the directors' terms of office shall be established in accordance with the provisions of section 1003. [1983, c. 485, §9 (AMD).]

[1983, c. 485, §9 (AMD) .]

4. **Compensation.** Compensation for attendance at a school board meeting shall be between $10 and $25 per meeting. Whenever the directors recommend to increase their compensation, they shall submit their recommendation to the district voters for approval.

A. On notification by the school board, the municipal officers shall, at the next regular or special town meeting or city election, prepare a warrant or ballot for the purpose of voting on the proposed increase.

The question shall be in the following form.

> "Should the School Administrative District No. directors be paid compensation at the rate of $ for each meeting which each director attends?"

[1981, c. 693, §§5, 8 (NEW).]

B. No increase in compensation is effective unless approved by a majority of the voters voting on the question. [1981, c. 693, §§5, 8 (NEW).]

[1981, c. 693, §§ 5, 8 (NEW) .]

5. **Secretary and treasurer.** The superintendent shall serve as secretary and treasurer of the school board and shall give a bond to the district of a sum and with the sureties as the school board shall determine. The bond shall be deposited with the chairman. The expense of that bond shall be paid by the district. The bond premium, compensation paid directors for attendance at meetings and expenses of the district shall be paid from funds of the district by the treasurer on vouchers presented and certified by the superintendent and approved by a majority of the school board or a finance committee duly elected annually by that board.

[1981, c. 693, §§ 5, 8 (NEW) .]

6. **Oath of office.** Before their first meeting, newly elected directors must take the following oath or affirmation before a dedimus justice or notary public.

"I ..... do swear that I will faithfully discharge to the best of my abilities the duties encumbent on me as a school director of School Administrative District No..... according to the Constitution and laws of this State. So help me God."

A. A director shall take the oath or affirmation and return a certificate documenting that the oath has been taken to the secretary of the district to place in the district records. [1987, c. 736, §40 (AMD).]

B. If a director is conscientiously scrupulous of taking an oath, the word "affirm" may be used instead of "swear" and the words "this I do under the pains and penalty of perjury" instead of the words "so help me God." [1991, c. 655, §2 (AMD).]

[1991, c. 655, §2 (AMD) .]

7. **Election of officers.** The board of directors shall elect a chairman and vice-chairman and other officers as may be necessary.

[1981, c. 693, §§ 5, 8 (NEW) .]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1983, c. 485, §9 (AMD). 1983, c. 806, §§13,14 (AMD). 1987, c. 736, §40 (AMD). 1991, c. 655, §2 (AMD).

§1252. METHODS OF REPRESENTATION

The following are methods of representation. [1981, c. 693, §§5, 8 (NEW).]

1. **Method A: Subdistrict representation.** Directors shall represent subdistricts.

A. The subdistricts, as far as practicable, shall be whole municipalities. If the municipalities are divided into subdistricts, then they shall be divided into subdistricts of approximately equal size as determined by the latest Federal Decennial Census or Federal Estimated Census. The municipal officers shall provide a separate voting place for each subdistrict of the municipality. [1981, c. 693, §§5, 8 (NEW).]

B. The boundaries of each subdistrict shall be determined by a majority vote of the joint meeting or reapportionment committee. Each subdistrict shall have one director, except that in a municipality comprised of 2 or more subdistricts, the joint meeting may authorize the election of directors-at-large. [1981, c. 693, §§5, 8 (NEW).]

[1981, c. 693, §§5, 8 (NEW) .]

2. **Method B: Weighted votes.** Directors shall cast weighted votes.

A. The committee shall apportion 1,000 votes among all the members of the board. The ratio of the number of votes cast by the directors representing a municipality in relation to the number 1,000 shall be the same ratio to the nearest whole number as the population of the municipality is in relation to the population of all municipalities in the district, as determined by the latest Federal Decennial Census or Federal Estimated Census. [1981, c. 693, §§5, 8 (NEW).]

B. To assure the use of whole numbers, the 1,000 votes apportioned among the board members may be increased or decreased by not more than 5 votes. [1981, c. 693, §§5, 8 (NEW).]

C. A plan may not permit the voting power of any director to exceed by more than 5% the percentage of voting power the director would have if all 1,000 votes were apportioned equally among the directors. [2011, c. 171, §1 (AMD).]

D. In a municipality served by 2 or more directors, the votes cast by them shall be divided equally among them. The directors shall be elected at large within the municipality unless otherwise provided by municipal charter. [1981, c. 693, §§5, 8 (NEW).]

[2011, c. 171, §1 (AMD) .]

3. **Method C: At-large voting.** Directors shall be elected at large by all of the voters in the district.

[1981, c. 693, §§5, 8 (NEW) .]

4. **Method D: Other.** Directors may be elected by any other method that meets the requirements of the one-man, one-vote principle that is not included in Methods A, B or C.

[1981, c. 693, §§5, 8 (NEW) .]

SECTION HISTORY
1981, c. 693, §§5, 8 (NEW). 1983, c. 806, §15 (AMD). 2011, c. 171, §1 (AMD).

§1253. ELECTION

For the purpose of nominations, school directors shall be considered municipal officials and shall be nominated in accordance with Title 30-A, chapter 121, or with a municipal charter, whichever is applicable. [1987, c. 737, Pt. C, §§37, 106 (AMD); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8,10 (AMD).]

1. **Initial meeting on district formation.** On the election of the school directors, the clerk of each municipality within the school administrative district shall forward the names of the directors elected for that municipality to the state board with other data with regard to their election as the state board may require. On receipt of the names of all of the directors, the state board shall set a time, place and date for the first meeting of the directors and give notice to the directors in the manner set forth in section 1202, subsection 3, paragraph A.

[1983, c. 480, Pt. A, §17 (AMD) .]

2. **Special provisions.** In the election for representation under the methods provided in section 1252 the following shall apply.

A. Under Method A:

(1) Within 60 days, but no earlier than 45 days after notification by the board of directors of the approval or reapportionment plan, the municipal officers shall call a special election to elect directors to serve under the plan for the school administrative district;

(2) Nomination papers must be furnished by the secretary of the district at least 10 days before the deadline for filing of nomination papers. Notwithstanding any other section of this Title, directors must be nominated by obtaining a minimum of 25 and a maximum of 50 signatures of registered voters residing within the subdistrict. The secretary shall notify the municipal officers of the names of candidates in each subdistrict;

(3) The ballots must be prepared in accordance with subparagraph (7);

(4) The clerks of each municipality shall forward to the secretary the results of the vote by subdistrict;

(5) The board of directors shall meet and total the votes cast for each candidate within each subdistrict and shall immediately notify the clerks in each municipality, the candidates and the commissioner of the results of the vote;

(6) The terms of the directors elected under the original municipal representation system cease on the date that the newly elected directors are sworn into office; and

(7) Notwithstanding any other provision of statute, directors must be elected by secret ballot. The ballots must be prepared for and distributed to the municipalities or subdistricts by the secretary of the district. [1993, c. 435, §1 (AMD).]

A-1. Under Method B:

(1) Reductions in the number of directors must take place in accordance with section 1255, subsection 1, paragraph B;

(2) Additional directors must be added in accordance with section 1255, subsection 1, paragraph C; and

(3) The term of office of additional directors must be determined in accordance with section 1251, subsection 3. [1993, c. 435, §2 (NEW).]

B. Under Method C:

(1) Nominations for directors shall be made on petitions provided by the district secretary. The petitions shall be signed as provided in Title 30-A, section 2528, subsection 4, or if the candidate is a voting resident in a municipality having less than 200 population, signed by at least 20% of the registered voters of that municipality;

(2) The petitions shall be submitted to the registrar of voters in the respective municipalities for certification of the voting residence of the director nominated and of the voters signing the petition;

(3) The registrar of voters shall return the certified petitions to the district secretary not later than 30 days prior to the date of the annual election to be held in the municipality;

(4) The ballot shall be prepared and distributed by the district secretary. It shall give the number of offices to be filled and list the candidates by municipalities or subdistricts in which they are resident;

(5) Notwithstanding any other provision of law, school directors shall be elected by secret ballot;

(6) If all member municipalities do not conduct the election for directors on the same date, then all ballots cast in the elections shall be impounded by the clerk of each municipality:

(a) After all municipalities have voted, the clerks and one or more election supervisors designated by the municipal officers of each municipality shall meet at an agreed upon location and tally the ballot;

(b) The tally shall be completed within one day of the last member municipality election;

(c) The election supervisors shall select from among their members a chairman who shall supervise the tally of ballots; and

(d) The clerk of each municipality shall as promptly as possible after the election certify to the board of directors the result of the voting in that municipality; and

(7) Any recount petitions shall be filed with the secretary of the board of directors and recounts shall be conducted in each member municipality in accordance with the applicable laws. [1987, c. 737, Pt. C, §§38, 106 (AMD); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8,10 (AMD).]

[1993, c. 435, §§1, 2 (AMD) .]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1983, c. 422, §2 (AMD). 1983, c. 480, §A17 (AMD). 1987, c. 737, §§C37,C38, C106 (AMD). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §§C8,C10 (AMD). 1993, c. 435, §§1,2 (AMD).

§1254. VACANCIES

Declaration and filling of vacancies shall be as follows. [1981, c. 693, §§5, 8 (NEW).]

1. **Definition of vacancy.** A vacancy occurs:

A. When the term of the office of a school director expires; [1981, c. 693, §§5, 8 (NEW).]

B. When a school director changes residency from the municipality or subdistrict from which elected. Evidence that an individual is registered to vote in a municipality is prima facie evidence of that individual's residency; [1981, c. 693, §§5, 8 (NEW).]

C. On the death of a school director; [1987, c. 866, §1 (AMD).]

D. When a school director resigns; or [1987, c. 866, §1 (AMD).]

E. Except in municipalities having a municipal charter, when a director is absent without excuse from 3 consecutive regular board meetings, the board may declare that a vacancy exists. [1987, c. 866, §2 (NEW).]

[1987, c. 866, §§1, 2 (AMD) .]

2. **School board.** The board of directors shall notify the municipal officers of the municipalities within the district before the annual town meeting or before the regular city election of the vacancy.

[1981, c. 693, §§5, 8 (NEW) .]

3. **Filling vacancies.** Vacancies shall be filled as follows.

A. The municipal officers of the municipality in which the director resided shall select an interim director for the municipality or subdistrict to serve until the next annual municipal election. The interim director shall serve until a successor is elected and qualified. [1983, c. 806, §16 (AMD).]

B. The municipal officers shall provide at the next municipal or subdistrict election for the election of a director to fill the vacancy. [1981, c. 693, §§5, 8 (NEW).]

[1983, c. 806, §16 (AMD) .]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1983, c. 806, §16 (AMD). 1987, c. 866, §§1,2 (AMD).

§1255. REAPPORTIONMENT

The commissioner shall determine the necessity for reapportionment. [1987, c. 395, Pt. A, §53 (AMD).]

1. **Duties of commissioner.** The commissioner shall determine if a district is apportioned in accordance with the principles of one person, one vote, if:

A. The commissioner receives a request by the board of directors; [2003, c. 354, §1 (AMD).]

B. The commissioner receives a petition signed by district voters equal to at least 10% of the voters who voted in the last gubernatorial election in the district; or [2003, c. 354, §1 (AMD).]

C. The commissioner determines a district is not apportioned according to the principles of one person, one vote. [2003, c. 354, §1 (AMD).]

The commissioner shall make a determination under paragraph A or B within 30 days of receiving the request or the petition.

[2003, c. 354, §1 (AMD) .]

2. **Awaiting census results.** If the commissioner receives a request within 12 months before a Federal Decennial Census or Federal Estimated Census, he may wait until after the new census figures are available to make a determination.

[1987, c. 395, Pt. A, §54 (AMD) .]

3. **Findings and order.** If the commissioner finds the district's representation is not apportioned in accordance with the principle of one person, one vote, the commissioner shall, within 7 days of that decision, notify the superintendent of the finding and shall order the superintendent to notify the municipal officers in each municipality in the district and the school board to create a reapportionment committee. The superintendent's notification must include the commissioner's notification, the information provided pursuant to subsection 6 and the time and place for the first meeting of the committee, which must be held not later than 20 days after the notification.

[2003, c. 354, §1 (AMD) .]

4. **Reapportionment committee membership.** The reapportionment committee shall consist of one municipal officer and one citizen at large from each member municipality, chosen by the municipal officers, and one director from each municipality, chosen by the board of directors. The appointments shall be made prior to the first meeting of the committee.

[1981, c. 693, §§5, 8 (NEW) .]

5. **Quorum.** A majority of the committee shall be a quorum.

[1981, c. 693, §§5, 8 (NEW) .]

6. **Duties of commissioner.** The commissioner shall provide the superintendent with the most recent Federal Decennial Census or Federal Estimated Census figures for each municipality in the district and at least one recommended apportionment plan.

[2003, c. 354, §2 (AMD) .]

7. **Duties of the reapportionment committee.** The committee shall:

A. Elect a chairman and secretary and may adopt suitable rules of procedure; [1981, c. 693, §§5, 8 (NEW).]

B. Consider and by majority vote adopt a plan including the method of representation, total number of directors and number of directors representing each municipality or subdistrict; and [1981, c. 693, §§5, 8 (NEW).]

C. Within 90 days of the first meeting, send a report of their plan to the state board for approval. It may, within the 90-day limit, submit alternative plans for apportionment. [1981, c. 693, §§5, 8 (NEW).]

[1981, c. 693, §§5, 8 (NEW) .]

8. **Commissioner approval.** The commissioner shall approve or disapprove the committee plan within 30 days of receiving it.

[1987, c. 395, Pt. A, §54 (AMD) .]

9. **Failure to gain commissioner approval.** If a plan has not been adopted by the committee or approved by the commissioner within the time limits, he shall prepare a suitable plan.

[1987, c. 395, Pt. A, §54 (AMD) .]

10. **Putting the approved plan into effect.** On approval of a plan, the commissioner shall send a certified copy to the municipal officers and school directors. The original plan shall be retained in the department files.

A. The approved plan shall be effective immediately. The committee shall determine the terms of the directors who shall be elected at the next annual municipal elections so as to comply with section 1253. [1981, c. 693, §§5, 8 (NEW).]

B. If the approved plan requires a reduction of the number of directors to be elected in a municipality, the reduction must be achieved in accordance with this paragraph.

(1) If possible, the reduction must be achieved by the voluntary resignation of one or more of the directors.

(2) If the reduction can not be achieved in accordance with subparagraph (1) and the plan is approved and filed less than 30 days prior to the annual municipal election, the number of open positions to be filled by the election process must be reduced to the number required by the approved plan.

(3) If the reduction can not be achieved in accordance with subparagraph (1) or (2), or a combination of the 2, all of the remaining existing directors representing the municipality shall choose by lot which directors' terms must terminate. [2003, c. 57, §1 (RPR).]

C. If the approved plan requires that additional directors be elected in a municipality, the municipal officers shall fill the vacancies by appointment. A new director shall serve until a successor is elected and qualified at the next annual municipal election. [1983, c. 806, §17 (AMD).]

D. [1993, c. 435, §3 (RP).]

E. The reapportionment committee shall thereupon be dissolved. [1981, c. 693, §§5, 8 (NEW).]

[2003, c. 57, §1 (AMD) .]

11. **Duties of present directors during reapportionment.** The board of directors, during the reapportionment of its membership, shall serve as legal representatives of the district until the reapportionment is completed. The board shall carry out all business of the district, including the borrowing of necessary funds which may be required during the period of reapportionment.

[1981, c. 693, §§5, 8 (NEW) .]

12. **State board review of commissioner's decisions.** A school administrative district or interested parties may request that the state board reconsider decisions made by the commissioner in this section. The state board shall have the authority to overturn a decision made by the commissioner. In exercising this power, the state board is limited by this section.

[1987, c. 395, Pt. A, §56 (NEW) .]

13. **Rules.** The state board may adopt rules to carry out this section.

[1987, c. 395, Pt. A, §56 (NEW) .]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1983, c. 485, §10 (AMD). 1983, c. 806, §17 (AMD). 1987, c. 395, §§A53-A56 (AMD). 1993, c. 435, §3 (AMD). 2003, c. 57, §1 (AMD). 2003, c. 354, §§1,2 (AMD).

§1256. POWERS AND DUTIES

The board of directors: [1981, c. 693, §§5, 8 (NEW).]

1. **School district name.** May select an unofficial name for the district;

[1983, c. 485, §11 (AMD) .]

2. **Finance committee.** May elect a finance committee of 3 or more members who must be directors;

[2005, c. 496, §1 (AMD) .]

3. **Operating schools.** May authorize and oversee the operation of elementary schools;

[2001, c. 588, §19 (AMD) .]

4. **Purchase of land outside the district.** May purchase land outside of the geographical limits of the district and erect a school on it if, because of the location of other schools within the school district or transportation difficulties, a school within the district would not be in the best interests of the district;

[1981, c. 693, §§5, 8 (NEW) .]

5. **Bylaws.** Shall adopt bylaws for the regulation of the affairs of the board and the conduct of its business;

[1981, c. 693, §§5, 8 (NEW) .]

6.

[1983, c. 422, §3 (RP) .]

7. **Gifts.** May accept and receive money or other property, outright or in trust, for any specified benevolent or educational purpose. The board shall comply with the following in accepting gifts.

A. If the board receives written notice from a prospective donor or a representative of the donor, of a proposed gift, they shall submit the matter to the next regular meeting of the board or shall call a special meeting. The board shall, within 10 days after the meeting, send written notice of its acceptance or rejection. [1983, c. 806, §18 (AMD).]

B. If the gift is in trust, the board shall cause the trust funds to be deposited or invested according to Title 30-A, chapter 223, subchapter III-A.

(1) Unless prohibited by a trust instrument, the district may treat any 2 or more trust funds as a single fund for the purposes of investment.

(2) After deduction for management expenses, any interest earned or capital gains realized must be prorated among the various trust funds.

(3) Property or securities included in the corpus of a trust fund must be retained where the trust instrument so provides.

(4) Unless otherwise specified in the trust instrument, only the annual income from the trust fund may be spent.

(5) If the district fails to comply with the terms of the trust instrument, the trust fund reverts to the donor or the donor's heirs. [2001, c. 588, §20 (AMD).]

C. If the money or other property is a conditional gift for any specified benevolent or educational purpose, the following shall apply.

(1) Prior to the acceptance of a gift the board of directors shall obtain approval of the legislative body of the school administrative district.

(2) When the donor's part of the agreement respecting the execution of the conditional gift has been completed, the district shall perpetually comply with, and may raise money to carry into effect, the conditions upon which it was made.

(3) Unless otherwise specified by its terms, a conditional gift of money shall be deposited or invested according to Title 30-A, chapter 223, subchapter III-A. [1987, c. 737, Pt. C, §§40, 106 (AMD); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8,10 (AMD).]

[2001, c. 588, §20 (AMD) .]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1983, c. 422, §3 (AMD). 1983, c. 485, §11 (AMD). 1983, c. 806, §18 (AMD). 1987, c. 737, §§C39,C40, C106 (AMD). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §§C8,C10 (AMD). 2001, c. 588, §§19,20 (AMD). 2005, c. 496, §1 (AMD).

§1257. QUORUM

At least a majority of the board of directors in number and voting power shall be a quorum. [1981, c. 693, §§ 5, 8 (NEW).]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW).

§1258. PROGRAM

A school administrative district shall maintain a program which includes kindergarten to grade 12. [1981, c. 693, §§5, 8 (NEW).]

1. **Secondary school.** A district shall provide a secondary school facility as follows.

A. A district which enrolls more than 700 pupils in grades 9 to 12 may operate more than one 4-year school. [1981, c. 693, §§5, 8 (NEW).]

B. A district which enrolls less than 700 pupils in grades 9 to 12 shall provide grades 10 to 12 in one facility within 4 years from the date of the district's formation. [1981, c. 693, §§5, 8 (NEW).]

C. Secondary school facilities may be operated as 4-year schools, a 6-year school for grades 7 to 12 or 2 or more 3-year schools, except that students living in an area remote from a public school may be provided for under section 5204. [1981, c. 693, §§5, 8 (NEW).]

[1981, c. 693, §§5, 8 (NEW) .]

2. **Contracts for secondary school programs.** In addition to the provisions for a secondary school facility set forth in subsection 1, a district may contract with a nearby school administrative unit or with a private school approved for tuition purposes for all or part of its secondary school pupils. The contract may run from a period of 2 to 10 years. The contract shall also comply with section 2703 and may provide for the formation of a joint committee in accordance with section 2704.

[1985, c. 797, §14 (RPR) .]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1983, c. 859, §§A5,A25 (AMD). 1985, c. 797, §14 (AMD).

Subchapter 4: FINANCING

§1301. FINANCES

A school administrative district may raise money for establishing and maintaining public schools, erecting buildings and providing equipment. [1981, c. 693, §§5, 8 (NEW).]

1. **Methods of sharing costs.** The costs of operating a school administrative district must be shared among all municipalities within the district in one of the following ways.

A. Under a property valuation method, municipalities in a district shall share costs in the same proportion as each municipality's fiscal capacity as defined in section 15672, subsection 23 is to the district's fiscal capacity. [2005, c. 2, Pt. D, §3 (AMD); 2005, c. 2, Pt. D, §§72, 74 (AFF); 2005, c. 12, Pt. WW, §18 (AFF).]

B. Under an alternate plan approved by the state board and by a vote of the legislative bodies of the school administrative units forming the district and based on:

(1) The number of resident pupils in each town;

(2) The fiscal capacity of each member municipality as defined in section 15672, subsection 23;

(3) Any combination of subparagraphs (1) and (2); or

(4) Any other factor or combination of factors that may, but need not, include subparagraphs (1) and (2). [2005, c. 2, Pt. D, §4 (AMD); 2005, c. 2, Pt. D, §§72, 74 (AFF); 2005, c. 12, Pt. WW, §18 (AFF).]

C. [2001, c. 375, §1 (RP).]

D. Notwithstanding paragraphs A and B, Title 30-A, chapter 208-A or any other provision of law, the state valuation used to calculate the shared cost for each municipality in a district with a municipal incentive development zone must include the increase in equalized just value of all industrial and commercial property located in the zone over the assessed value. [1993, c. 696, §1 (NEW).]

[2005, c. 2, Pt. D, §§3, 4 (AMD); 2005, c. 2, Pt. D, §§72, 74 (AFF); 2005, c. 12, Pt. WW, §18 (AFF) .]

2. **Residents on federal property or state property.** For the purposes of this chapter only, a district shall count students residing on land under the control of the Federal Government, on a federal military reservation, or on state property, as residents of the district but not as residents of a municipality.

[1985, c. 15, (AMD) .]

3. **Amendment of cost-sharing formulas.** The cost-sharing formula may be amended as follows.

A. If requested by a written petition of at least 10% of the number of voters voting in the last gubernatorial election within the district, or if approved by a majority of the full board of directors, the board of directors shall hold at least one meeting of municipal representatives to reconsider the method of sharing costs. The district shall give at least 15 days' notice to each municipality comprising the district of any meeting. [2001, c. 375, §2 (AMD).]

B. Each member municipality must be represented at the meeting or meetings by 2 representatives chosen at large by its municipal officers, and one member of the district board of directors chosen by the municipality's directors. [2001, c. 375, §2 (AMD).]

B-1. Prior to the first meeting of municipal representatives pursuant to paragraph A, the district shall engage the services of a facilitator selected from the list maintained by the commissioner under subsection 4, paragraph C, subparagraph 1. The facilitator shall:

(1) At the first meeting, review and present data and information pertaining to sharing of costs within the district. Pertinent information may include, but is not limited to, the following:

(a) A description of the district's cost-sharing method, the elements involved in the calculation of each municipality's costs and a graphic depiction of the current and historic distribution of costs in the district; and

(b) If withdrawal of one or more district members is under consideration, the financial and educational impact of the withdrawal;

(2) Solicit and prepare a balanced summary of the concerns of municipal officials, educators and the public about the current method of cost sharing; and

(3) Develop a plan of action for consideration by the municipal representatives that responds to the information collected and the concerns raised. The plan of action must include a list of expectations for the conduct of the parties, options for proceeding and an assessment of the likely success of those options. [2001, c. 375, §2 (NEW).]

C. A change in the method of sharing costs may only be approved by a majority vote of the municipal representatives present and voting. [2001, c. 375, §2 (AMD).]

C-1. If a majority of the representatives from each municipality meeting pursuant to paragraph A are unable to agree on a recommendation on what the cost-sharing method for the district should be, within 15 days following the last meeting a knowledgeable 3rd party must be selected in accordance with rules adopted pursuant to subsection 4, paragraph C. The district is responsible for compensating the 3rd party. The 3rd party shall:

(1) Prepare a written summary of the process to date, including an assessment of the fairness, accuracy and responsiveness of the recommendations of the facilitator engaged pursuant to paragraph B-1;

(2) Prepare an impartial recommendation regarding changing the method of cost sharing; and

(3) Present the summary and recommendations to the municipal representatives for their consideration. [2001, c. 375, §2 (NEW).]

C-2. At an advertised public hearing, the municipal representatives shall solicit public input on the 3rd party's recommendation for cost sharing required under paragraph C-1 and any alternative method or methods proposed by municipal representatives. [2001, c. 375, §2 (NEW).]

D. If a change in the cost-sharing method is approved by a majority of the municipal representatives meeting pursuant to paragraph A, the change must be submitted to the voters at a district meeting. It becomes effective when approved by a majority vote of the district in a district referendum called and held for this purpose in accordance with sections 1351 to 1354, except that, if the proposed change is an alternative cost-sharing plan under subsection 1, paragraph B, subparagraph 4, the change must be approved by a majority of voters voting in a referendum in each municipality in the district instead of in a district referendum. [2001, c. 375, §2 (AMD).]

E. Assessments made by the school board thereafter must be made in accordance with the new method of sharing costs. [2001, c. 375, §2 (AMD).]

F. The secretary of the district shall notify the state board that the district has voted to change its method of sharing costs. The state board shall issue an amended certificate of organization showing this new method of sharing costs. [1981, c. 693, §§5, 8 (NEW).]

[2001, c. 375, §2 (AMD) .]

4. **Departmental assistance.** The department shall provide the following services relating to changing district cost-sharing methods:

A. The provision of information and data relating to cost sharing, including, but not limited to, a description of a district's method of cost sharing, the total assessment, the per pupil cost and mils raised for education for district members and the calculation of member costs. The information must be district-specific, comprehensive, easily understood by the general public, presented in graphic and spreadsheet

format and available over the Internet. Written copies of the information described and additional information requested must be provided by the department upon receipt of a written request from a district school board or the legislative body of any municipality member of a district; [2001, c. 375, §3 (NEW).]

B. The provision of professional evaluation and assistance to districts and member municipalities considering changes in cost-sharing methods; and [2001, c. 375, §3 (NEW).]

C. The establishment and maintenance of lists of qualified, available individuals to assist districts considering changes in cost-sharing methods as follows:

(1) Facilitators as required in subsection 3, paragraph B-1; and

(2) Knowledgeable 3rd parties as required in subsection 3, paragraph C-1.

In establishing the lists, the department shall seek input from the Maine Municipal Association and Maine School Management Association or successor organizations. The department may adopt rules to define the qualifications, responsibilities and selection of individuals on the lists. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter II-A. [2001, c. 375, §3 (NEW).]

[2001, c. 375, §3 (NEW) .]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1985, c. 15, (AMD). 1991, c. 379, (AMD). 1991, c. 802, §1 (AMD). 1993, c. 410, §F3 (AMD). 1993, c. 696, §1 (AMD). 2001, c. 375, §§1-3 (AMD). 2005, c. 2, §§D3,4 (AMD). 2005, c. 2, §§D72,74 (AFF). 2005, c. 12, §WW18 (AFF).

§1302. BUDGET PREPARATION

The district budget shall be prepared as follows. [1981, c. 693, §§5, 8 (NEW).]

1. **Preparation by board.** The board of directors shall annually prepare a budget for:

A. Operational costs; [1981, c. 693, §§5, 8 (NEW).]

B. Bonds falling due; [1981, c. 693, §§5, 8 (NEW).]

C. Interest on bonds or other obligations; [1981, c. 693, §§5, 8 (NEW).]

D. Rentals and other charges in a contract; [1981, c. 693, §§5, 8 (NEW).]

E. A lease or agreement with the Maine School Building Authority; and [1981, c. 693, §§5, 8 (NEW).]

F. Temporary loans. [1981, c. 693, §§5, 8 (NEW).]

[1981, c. 693, §§5, 8 (NEW) .]

2. **Distribution.** At least 7 days before the district budget meeting, the board of directors shall make available to the legislative body responsible for final budget approval and residents of the district, a detailed budget document. It shall include a summary of anticipated revenues and estimated school expenditures.

[1981, c. 693, §§5, 8 (NEW) .]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW).

§1303. BUDGET MEETING

The school board shall hold a district budget meeting at a time it determines. [1981, c. 693, §§5, 8 (NEW).]

1. **Warrant.** The budget meeting shall be called by a warrant. The warrant shall:

A. Be signed by a majority of the board of directors; [1981, c. 693, §§5, 8 (NEW).]

B. Specify the time and place of the meeting; [1981, c. 693, §§5, 8 (NEW).]

C. Include the proposed school budget and other articles the school board chooses to place before the voters, excluding authorization to borrow money for school construction purposes unless the alternate voting procedures of section 1305 are employed; [1999, c. 81, §1 (AMD).]

D. Specify the state and local shares of the state-local allocation and local leeway and additional expenditures without state participation; and [1981, c. 693, §§5, 8 (NEW).]

E. Be directed to a resident of the district by name ordering the resident to notify all voters within the district to assemble at the time and place appointed. [1981, c. 693, §§5, 8 (NEW).]

[1999, c. 81, §1 (AMD) .]

2. **Notice.** An attested copy of the warrant shall be posted by the person to whom it is directed in some conspicuous public place in each of the municipalities within the district at least 7 days before the meeting. The person who gives notice of the meeting shall make a return of the posting on the warrant stating the manner of notice in each municipality and the time when it was given.

[1981, c. 693, §§5, 8 (NEW) .]

3. **Requested articles.** If requested by a written petition of at least 10% of the number of voters voting for the gubernatorial candidates in the last gubernatorial election in each municipality within the district, the board of directors shall place specific articles, not in conflict with existing state statutes, in the warrants for consideration at the next annual district budget meeting. To be included in the warrant a petition shall be received by the board of directors at least 15 days before the date set for the budget meeting. When placed on the warrant, the articles shall be considered before action relating to the appropriation of money for the operation of schools.

[1981, c. 693, §§5, 8 (NEW) .]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1999, c. 81, §1 (AMD).

§1304. MEETING PROCEDURES

The following procedures shall be used at a district meeting. [1981, c. 693, §§ 5, 8 (NEW).]

1. **Election of moderator.** The secretary of the board of directors, or when absent, the chairman of the school board, shall open the meeting and call for the election of a moderator, receive and count votes for moderator and swear in the moderator.

[1981, c. 693, §§ 5, 8 (NEW) .]

2. **Appointing ballot clerks.** The moderator shall appoint from the certified voting list the ballot clerks necessary for the efficient operation of the meeting. The clerks shall be sworn in by the moderator.

[1981, c. 693, §§ 5, 8 (NEW) .]

3. **Budget consideration.** The budget shall be thoroughly explained. The voters shall have an opportunity to be heard. The voters may change only items dealing with:

A. The expenses necessary to operate the school administrative district; [1981, c. 693, §§5, 8 (NEW).]

B. Appropriations for the reserve fund; or [1981, c. 693, §§5, 8 (NEW).]

C. Appropriations for the contingency fund and school construction purposes. [1981, c. 693, §§5, 8 (NEW).]

[1981, c. 693, §§5, 8 (NEW) .]

4. **Approval.** A majority vote of those voters present and voting shall be necessary for the approval of the annual budget.

[1981, c. 693, §§5, 8 (NEW) .]

5. **Voting lists.** Registration of voters for the annual budget meeting shall be held in each member municipality in accordance with Title 21-A, section 122.

A. Prior to the annual budget meeting, the municipal clerks of the member municipalities shall supply to the board of directors a certified corrected copy of the registered voters of their municipality. [1981, c. 693, §§ 5, 8 (NEW).]

B. The lists shall be used in determining the voters who are eligible to vote at the annual budget meeting. [1981, c. 693, §§ 5, 8 (NEW).]

[1989, c. 502, Pt. A, §50 (AMD) .]

6. **Written ballot.** An article must be voted on by written ballot if at least 10% of those present and voting vote to use a written ballot. The department, in consultation with municipal and school officials and with organizations representing those officials, shall develop and distribute guidelines to assist district budget meeting moderators in explaining and implementing this subsection.

[1999, c. 710, §2 (RPR) .]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1983, c. 770, §1 (AMD). 1989, c. 502, §A50 (AMD). 1999, c. 710, §2 (AMD).

§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 "

[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. [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. [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. [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. [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. [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. [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. [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. [1981, c. 693, §§5, 8 (NEW).]

[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.

[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.

[1993, c. 372, §2 (AMD) .]

4. **Reconsideration of alternative voting procedure.**

[1999, c. 710, §4 (RP) .]

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

§1305-A. COST CENTER SUMMARY ALTERNATIVE BUDGET FORMAT

(REPEALED)

SECTION HISTORY
1999, c. 710, §5 (NEW). 2005, c. 12, §WW1 (AMD). 2005, c. 683, §A21 (AMD). 2009, c. 571, Pt. E, §1 (RP).

§1305-B. BUDGET VALIDATION REFERENDUM

(REPEALED)

SECTION HISTORY
1999, c. 710, §5 (NEW). 2005, c. 683, §A22 (AMD). 2009, c. 571, Pt. E, §2 (RP).

§1305-C. MANDATORY BUDGET VALIDATION AND COST CENTER SUMMARY BUDGET FORM

Notwithstanding any other law, school administrative district budgets developed after January 1, 2008 must conform to the format and referendum procedures for regional school units as set forth in sections 1485 and 1486. A school administrative district is deemed to be a regional school unit solely for the purpose of developing a budget pursuant to sections 1485 and 1486. [2007, c. 668, §2 (AMD); 2007, c. 668, §55 (AFF).]

SECTION HISTORY
2007, c. 240, Pt. XXXX, §11 (NEW). 2007, c. 668, §2 (AMD). 2007, c. 668, §55 (AFF).

§1306. BUDGET FORMAT

The board of directors shall determine the budget format unless it is established by the district voters. [1989, c. 414, §4 (AMD).]

1. **Petition.** An article establishing the budget format may be placed on the next warrant if authorized by a majority vote of the board or if a written petition of at least 10% of the number of voters voting in the last gubernatorial election in the municipalities within the district has been presented to the board.

[1989, c. 414, §4 (AMD) .]

2. **Meeting.** A school budget format may be established by the district voters if the lesser of either 20% of the number of registered voters or 200 registered voters vote on an appropriate warrant article and a majority approve it. The meeting shall be called and held as provided for budget meetings under sections 1303 and 1304 or under sections 1351 to 1354 if the directors so choose or if the voting at district budget meetings is done within each member municipality.

[1989, c. 414, §4 (AMD) .]

3. **Effective date.** A change in budget format shall be voted on at least 90 days prior to the budget year for which that change is to be effective.

[1981, c. 693, §§ 5, 8 (NEW) .]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1989, c. 414, §4 (AMD).

§1307. SPECIFIC LINE BUDGETS

If the school budget format requires specific line categories, then in preparing the warrant and conducting the budget meeting, the following shall apply. [1981, c. 693, §§5, 8 (NEW).]

1. **Separate articles.** Each category shall be included in a separate warrant article.

[1981, c. 693, §§5, 8 (NEW) .]

2. **Transfer.** Unless authorized by the voters, the board of directors may not transfer funds between line item categories.

[1981, c. 693, §§5, 8 (NEW) .]

3. **Summary action.** To summarize the action taken on the school budget for the purposes of determining state and local cost sharing, the articles prescribed in chapter 606-B must also be voted upon.

[2005, c. 2, Pt. D, §5 (AMD); 2005, c. 2, Pt. D, §§72, 74 (AFF); 2005, c. 12, Pt. WW, §18 (AFF) .]

4. **Budget explanation.** The warrant may include an explanation of the relationship between warrant articles authorizing specific line item expenditures as provided in subsection 1 and the articles prescribed in chapter 606-B summarizing the budget proposal.

[2005, c. 2, Pt. D, §6 (AMD); 2005, c. 2, Pt. D, §§72, 74 (AFF); 2005, c. 12, Pt. WW, §18 (AFF) .]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1983, c. 485, §13 (AMD). 1997, c. 68, §§1,2 (AMD). 2005, c. 2, §§D5,6 (AMD). 2005, c. 2, §§D72,74 (AFF). 2005, c. 12, §WW18 (AFF).

§1308. FAILURE TO PASS BUDGET

If a budget for the operating of the district is not approved prior to July 1st, the latest budget as submitted by the board of directors is automatically considered the budget for operational expenses for the ensuing year until a final budget is approved, except that, when the school board delays the school budget meeting in accordance with section 15693, subsection 2, paragraph C, the operating budget must be approved within 30 days of the date the commissioner notifies the school board of the amount allocated to the school unit

under section 15689-B or the latest budget submitted by the directors becomes the operating budget for the next school year. [2005, c. 2, Pt. D, §7 (AMD); 2005, c. 2, Pt. D, §§72, 74 (AFF); 2005, c. 12, Pt. WW, §18 (AFF).]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1991, c. 429, §3 (AMD). 1999, c. 710, §6 (AMD). 2005, c. 2, §D7 (AMD). 2005, c. 2, §§D72,74 (AFF). 2005, c. 12, §WW18 (AFF).

§1309. SPECIAL BUDGET MEETING

The school board may call a special budget meeting when it declares an emergency exists. The voters of the district may authorize the directors at a special district budget meeting to expend additional funds from the district's undesignated fund balance or to pledge the credit of the district to obtain additional money for the operation of schools. The special budget meeting must be held in accordance with sections 1302 to 1307. [1993, c. 372, §3 (AMD).]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1983, c. 806, §19 (AMD). 1993, c. 372, §3 (AMD).

§1310. DISTRICT ASSESSMENTS

District assessments shall follow these procedures. [1981, c. 693, §§5, 8 (NEW).]

1. **Warrant.** In accordance with the budget approved by the voters at an annual budget meeting and in substantially the same form as the warrant of the Treasurer of State for taxes, the board of directors shall issue its warrants to the assessors of each member municipality requiring them to assess upon the taxable estates within the municipality an amount which is that municipality's share of the district's costs.

[1983, c. 485, §14 (AMD) .]

2. **Commitment.** The municipal assessors shall commit the assessment to the constable or collector. Constables and collectors shall have the authority and powers to collect the district's taxes as is vested in them by law to collect state, county and municipal taxes.

[1981, c. 693, §§5, 8 (NEW) .]

3. **Installments.** The board of directors shall notify the member municipalities of the monthly installments that will become payable during the fiscal year.

[1981, c. 693, §§5, 8 (NEW) .]

4. **Payment.** A municipal treasurer shall pay the amount of the tax assessed in the fiscal year against the municipality to the treasurer of the district. The payments shall be paid in monthly installments on or before the 20th of each month.

[1981, c. 693, §§5, 8 (NEW) .]

5. **Gifts.** A municipality may use the proceeds from gifts or trust funds allocated for educational purposes to pay its share of the assessment.

[1981, c. 693, §§5, 8 (NEW) .]

6. **Enforcement.** If a municipal treasurer fails to pay the installment due, or any part, on the dates required, to initiate collection procedures, the treasurer of the school administrative district may notify the municipal treasurer of the failure to pay. Interest accrues on each unpaid installment at the rate established under Title 36, section 186 beginning on the 60th day after the date the installment is due under subsection 4. If payment of an installment is not made within 60 days after the due date, the treasurer of the district may initiate an action in Superior Court to compel payment of the delinquent installment. The court shall determine the amount owed by the municipality to the district and shall order the municipal treasurer to pay all delinquent installments, accrued interest and any court costs and reasonable attorney's fees incurred by the district. To ensure prompt payment of the delinquent installments, the court may require that amounts due to the municipality from the State under Title 30-A, section 5681 and Title 36, sections 578 and 685 be paid to the district until the amount determined by the court is satisfied. The court shall promptly notify the disbursing state agency of the determination and direct the agency to make the required change in payee and the amounts to be paid. If additional funds are needed to satisfy the amount determined by the court to be paid to the district, the court may order the attachment or trustee process and sale of real or personal property owned by the municipality or the attachment of the municipality's bank accounts or require property tax payments to the municipality to be turned over to the court and may pay the amount owed the district from the proceeds and return any excess to the municipality.

[2003, c. 212, §1 (RPR) .]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1983, c. 485, §14 (AMD). 2003, c. 212, §1 (AMD).

§1311. POWER TO BORROW MONEY

A school administrative district may borrow money as follows. [1981, c. 693, §§5, 8 (NEW).]

1. **Board of directors.** The board of directors may borrow money to pay for:

A. Current operating expenses of the district if the loans are repaid within 13 months of the date of borrowing and are limited to an amount reasonably required for current operating expenses; [1991, c. 121, Pt. A, §2 (AMD).]

B. School construction projects as defined in section 15901; and [1983, c. 422, §5 (AMD).]

C. Minor capital costs as defined in section 15672, subsection 20-A. [2005, c. 2, Pt. D, §8 (AMD); 2005, c. 2, Pt. D, §§72, 74 (AFF); 2005, c. 12, Pt. WW, §18 (AFF).]

[2005, c. 2, Pt. D, §8 (AMD); 2005, c. 2, Pt. D, §§72, 74 (AFF); 2005, c. 12, Pt. WW, §18 (AFF) .]

2. **Voter approval.** Bonds or notes for school construction purposes shall first be approved by a majority of voters of the district voting at an election called by the board of directors and held as provided in sections 1351 to 1354, except as is otherwise provided in this section.

A. Each bond or note shall have inscribed upon its face the name of the district, the date it was issued, the amount of the bond or note and the annual interest rate, payable semiannually. Each bond or note shall be in the form and be sold in the manner, at public or private sale, as the board of directors shall determine in accordance with state law. Bonds may not be sold for less than par. [1981, c. 693, §§5, 8 (NEW).]

B. Notes or bonds issued by a district shall be signed by the treasurer or assistant superintendent and countersigned by the chairman of the board of directors of the district. If coupon bonds are issued, each coupon shall be attested by a facsimile signature of the treasurer. [1981, c. 693, §§5, 8 (NEW).]

C. Each issue of bonds shall mature in substantially equal annual installments so that the first installment shall be payable not later than 2 years and the last installment not later than 25 years after the date of issue. [1981, c. 693, §§5, 8 (NEW).]

[1985, c. 797, §15 (AMD) .]

3. **Temporary notes.** Prior to issuing authorized school construction bonds or notes, the board of directors may borrow in anticipation of their sale by issuing temporary notes and renewal notes subject to the following.

A. Their total face value amount may not exceed at any one time the authorized outstanding amount of the school construction bonds or notes. [1981, c. 693, §§5, 8 (NEW).]

B. If the proceeds of an issue of bonds are used in whole or in part to fund temporary notes, the period during which the issue of bonds shall be outstanding plus the period of the loan represented by the temporary notes or renewals shall not exceed 25 years. [1981, c. 693, §§5, 8 (NEW).]

C. Temporary notes shall mature not later than 3 years from the date the first temporary note is issued. [1981, c. 693, §§5, 8 (NEW).]

D. Temporary notes and renewal notes shall be legal obligations of the district. [1981, c. 693, §§5, 8 (NEW).]

E. The board of directors of a district which has received a certificate of approval of a school construction project pursuant to Title 20, section 3458 to be paid in accordance with the alternate method prescribed in Title 20, section 3460, may borrow in anticipation of unpaid portions of state aid and may issue temporary and renewal notes. [1981, c. 693, §§5, 8 (NEW).]

F. If the temporary or renewal notes in anticipation of state aid exceed the aggregate amount of state aid actually received by the district, the unexpended balance of those notes shall be used for the repayment. If an outstanding balance remains, it shall be included in the next annual budget and shall not be subject to change at the district budget meeting. [1981, c. 693, §§5, 8 (NEW).]

[1981, c. 693, §§5, 8 (NEW) .]

4. **Early redemption.** Bonds or notes issued on behalf of a district may be made subject to call for redemption, with or without premium, at the election of the board of directors before the date fixed for final payment of those bonds or notes. When these bonds or notes are issued, they shall contain provisions setting forth the method by which the option to call may be exercised, the procedure for payment in the event of call and the legal effect of making the call.

[1981, c. 693, §§5, 8 (NEW) .]

5. **District status.** Notes and bonds, and loans to pay current operating expenses, contracts, leases and agreements with the Maine School Building Authority, shall be legal obligations of the district. The district shall be a quasi-municipal corporation within the meaning of Title 30-A, section 5701 and all the provisions of that section shall be applicable to them.

[1987, c. 737, Pt. C, §§41, 106 (AMD); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8,10 (AMD) .]

6. **Debt limit.** The aggregate principal amount of outstanding bonds or notes issued by a district for school construction purposes shall not exceed, at any one time, 10% of the total of the last preceding state valuation of all the municipalities within the district, plus an amount not to exceed 4% of that total district valuation set by the state board at the time of the initial approval of the school construction project.

A. Indebtedness in excess of 10% incurred under the law as it existed prior to April 1, 1974, is validated. [1981, c. 693, §§5, 8 (NEW).]

B. Outstanding school indebtedness assumed by the district shall be included in its limit of indebtedness, excluding contracts, leases or agreements with the Maine School Building Authority and notes in anticipation of state aid issued pursuant to subsection 3. [1981, c. 693, §§5, 8 (NEW).]

C. The percentage limit of the indebtedness for bonds or notes for school construction purposes authorized after April 27, 1967 shall be fixed as of the time of authorization by the voters or, if no district meeting is held to authorize those bonds or notes, upon the expiration of 35 days following passage of a resolution of the board of directors as described in subsection 7. [1981, c. 693, §§5, 8 (NEW).]

D. If the issuance of bonds or notes together with all outstanding indebtedness included within the district's limit of indebtedness would cause the district's indebtedness to exceed 10% of the total of the last preceding state valuation of all the municipalities within the district, the board of directors shall not issue those bonds or notes until they have received a certificate of approval pursuant to Title 20, section 3458. [1981, c. 693, §§5, 8 (NEW).]

E. If a certificate of approval indicates that the state board has authorized state aid to be paid in accordance with the alternate method prescribed by Title 20, section 3460, the total estimated amount of state aid payable on account of the school construction project described in the certificate of approval shall be treated as outstanding school indebtedness for the purpose of computing the borrowing capacity of the district to finance that project by issuing its bonds or notes. State aid shall be determined by applying the applicable percentage of state aid to the total estimated cost of the project, as set forth in the certificate of approval. [1981, c. 693, §§5, 8 (NEW).]

[1981, c. 693, §§5, 8 (NEW) .]

7. **Bonds and notes under 1% of valuation.** The board of directors may issue bonds or notes not to exceed 1% of the last preceding state valuation of all the municipalities within the district:

A. By calling a district meeting to approve the issuance of those bonds or notes as provided in section 1304; or [1981, c. 693, §§5, 8 (NEW).]

B. By passing a resolution to that effect, setting forth the amount of the proposed issue and the purposes for which the proceeds will be used and meeting the following requirements.

(1) The secretary of the board shall, within 5 days of the date of the passage of the resolution, cause attested copies of the resolution to be posted in 3 public and conspicuous places within each of the municipalities within the district. The secretary shall make a return of the posting stating its time and place. The return shall be kept with the records of the district and a copy of the return shall be mailed to each of the municipal officers of each municipality within the district.

(2) If, within 35 days of the date of the passage of the resolution, petitions with signatures of at least 10% of the residents in the district eligible to vote on the date that the resolution was adopted, are filed with the secretary requesting a vote of the district to approve or disapprove the issuance of the bonds or notes, the secretary shall immediately notify the board. They shall call an election for that purpose as set forth in sections 1351 to 1354.

(3) The board shall not authorize bonds or notes by resolution if the amount of the proposed issue, together with the amount of any other bonds or notes authorized solely by resolution and which are for the same purpose, exceeds 1% of the total of the last state valuation of all the participating municipalities. [1981, c. 693, §§5, 8 (NEW).]

[1981, c. 693, §§5, 8 (NEW) .]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1983, c. 422, §5 (AMD). 1985, c. 797, §15 (AMD). 1987, c. 737, §§C41,C106 (AMD). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §§C8,C10 (AMD). 1991, c. 121, §A2 (AMD). 1993, c. 372, §4 (AMD). 2005, c. 2, §D8 (AMD). 2005, c. 2, §§D72,74 (AFF). 2005, c. 12, §WW18 (AFF).

§1312. RESERVE FUND

School administrative districts may establish a reserve fund as follows. [1989, c. 132, §1 (AMD).]

1. **Establishment.** A school administrative district may establish a reserve fund for school construction projects, financing the acquisition or reconstruction of a specific or type of capital improvement or financing the acquisition of a specific item or type of capital equipment by including a request in the district budget and receiving voter approval. The board of directors shall be the trustee of the reserve fund. The reserve fund shall be deposited or invested by the treasurer under the direction of the board.

[1989, c. 132, §2 (AMD) .]

2. **Deposit or investment.** All district funds, including reserve funds and trust funds to the extent that the terms of the instrument or vote creating the fund do not prohibit, shall be deposited or invested by the treasurer under the direction of the board of directors according to the requirements for the deposit or investment of municipal funds contained in Title 30-A, chapter 223, subchapter III-A.

[1987, c. 737, Pt. C, §§42, 106 (AMD); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8,10 (AMD) .]

3. **Expending moneys from reserve funds.** The board of directors may expend the sum in the reserve fund when authorized to do so by a vote of the district at a district meeting or a district budget meeting, when an article for that purpose is set out in the warrant calling the meeting.

[1981, c. 693, §§ 5, 8 (NEW) .]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1983, c. 98, §1 (AMD). 1987, c. 737, §§C42,C106 (AMD). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §§C8,C10 (AMD). 1989, c. 132, §§1,2 (AMD).

§1313. DISPOSAL OF PROPERTY

(REPEALED)

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1983, c. 422, §6 (RP).

§1314. BID PROCEDURE

The following shall apply to bids. [1981, c. 693, §§ 5, 8 (NEW).]

1. **Written bids.** Bids shall be in writing, sealed with outside envelope or wrapper plainly marked "Bid, not to be opened until (with appropriate date inserted)," and mailed to or filed with the superintendent of the unit.

[1981, c. 693, §§ 5, 8 (NEW) .]

2. **Time of opening.** A director or employee of the school administrative district may not open a bid until the appointed time.

[1981, c. 693, §§ 5, 8 (NEW) .]

3. **Public opening.** At the time and place stated in the public notice, and open to the public, all bids shall be opened by the superintendent or, in the superintendent's absence or disability, by any director designated for the purpose by the chairman of the board of directors.

[1983, c. 806, §20 (AMD) .]

4. **Reading.** If any citizens who are not school administrative district directors or employees, or if any representatives of the press are present, bids shall at the time either be made available for examination by them or shall be read aloud in a manner to be heard plainly by those in attendance.

[1981, c. 693, §§ 5, 8 (NEW) .]

5. **Exceptions.**

[1983, c. 422, §7 (RP) .]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1983, c. 422, §7 (AMD). 1983, c. 806, §20 (AMD).

§1315. VOID CONTRACTS

A contract made by the school directors in a school administrative district during the term of a member who is pecuniarily interested in that contract, either directly or indirectly, shall be void, unless the board of directors has advertised for sealed bids for that contract and that advertisement for sealed bids has been published at least 5 days prior to the date set for closing of bids in a newspaper having general circulation within the school administrative unit. [1981, c. 693, §§ 5, 8 (NEW).]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW).

Subchapter 5: DISTRICT REFERENDUM

§1351. DISTRICT REFERENDUM

The school board: [1981, c. 693, §§5, 8 (NEW).]

1. **Authority to call a district referendum.** Shall initiate a district referendum:

A. To approve the issuance of bonds or notes for school construction projects; [1981, c. 693, §§5, 8 (NEW).]

B. To approve a change in the selection of a school building site; [1981, c. 693, §§5, 8 (NEW).]

C. To approve a change in the method of sharing costs among the member municipalities; [1981, c. 693, §§5, 8 (NEW).]

D. To approve an agreement to add one or more municipalities to the district; [1981, c. 693, §§5, 8 (NEW).]

E. To approve an agreement to transfer a participating municipality to another school administrative district; [1981, c. 693, §§5, 8 (NEW).]

F. To approve an agreement to merge with another school administrative district; [1981, c. 693, §§5, 8 (NEW).]

G. To approve a proposed lease agreement with the Maine School Building Authority; [1981, c. 693, §§5, 8 (NEW).]

H. To authorize the board of directors to contract for the schooling of secondary pupils; [1981, c. 693, §§5, 8 (NEW).]

I. [1983, c. 422, §8 (RP).]

J. To accept or reject a prospective gift; and [1981, c. 693, §§5, 8 (NEW).]

K. To borrow funds for minor capital costs as defined in section 15672, subsection 20-A. [2005, c. 2, Pt. D, §9 (AMD); 2005, c. 2, Pt. D, §§72, 74 (AFF); 2005, c. 12, Pt. WW, §18 (AFF).]

[2005, c. 2, Pt. D, §9 (AMD); 2005, c. 2, Pt. D, §§72, 74 (AFF); 2005, c. 12, Pt. WW, §18 (AFF) .]

2. **Required district referendum.** Shall initiate a district referendum when requested by a written petition of at least 10% of the number of voters voting for the gubernatorial candidates in the last gubernatorial election in the municipalities within the district. At that referendum, the school board shall place before the voters the specific school construction article which has been requested by the petitioners.

[1981, c. 693, §§5, 8 (NEW) .]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1983, c. 422, §8 (AMD). 1999, c. 75, §2 (AMD). 2005, c. 2, §D9 (AMD). 2005, c. 2, §§D72,74 (AFF). 2005, c. 12, §WW18 (AFF).

§1352. METHOD OF CALLING A DISTRICT REFERENDUM

A district referendum shall be initiated by a warrant prepared and signed by a majority of the board of directors. The warrant shall be countersigned by the municipal officers in the municipality where the warrants are posted. [1981, c. 693, §§5, 8 (NEW).]

1. **Municipal officers.** The warrant shall direct the municipal officers within the district to call a referendum on a date and time determined by the board of directors. A warrant shall be prepared and distributed at least 30 days prior to the date of the referendum, except that a warrant for a school district budget referendum held in accordance with section 1305, subsection 2, shall be prepared and distributed at least 14 days prior to the date of the referendum.

A. The warrant shall be directed to a resident of the district by name, ordering the resident to notify the municipal officers of each of the municipalities within the district, to call a town meeting or city election on the date specified by the board of directors. No other date may be used. The person who serves the warrant shall make a return on the warrant stating the manner of services and the time when it was given. [1981, c. 693, §§5, 8 (NEW).]

B. The warrant shall be served on the municipal clerk of each of the municipalities within the district by delivering an attested copy of the warrant in hand within 3 days of the date of the warrant. The municipal clerk, on receipt of the warrant, shall immediately notify the municipal officers within the municipality. The municipal officers shall forthwith meet, countersign and have the warrant posted. [1981, c. 693, §§5, 8 (NEW).]

C. The warrants and other notices for the referendum must be in the same manner as provided in Title 21-A, except that the district board of directors shall hold a public hearing at least 7 days before the referendum vote. At least 7 days before the public hearing, the board of directors shall give notice of the public hearing by having a copy of the proposed referendum, together with the time and place of hearing, posted in the same manner required for posting a warrant under this section. [1999, c. 93, §1 (AMD).]

[1999, c. 93, §1 (AMD) .]

2. **Content of the warrant.** The warrant shall set forth the articles to be acted on in each municipal referendum. The articles shall have the following form.

A. When a referendum is called for the purpose of authorizing the issuance of bonds or notes for capital outlay purposes, the articles shall be substantially as follows.

(1) "Shall the school directors of School Administrative District No..... be authorized to issue bonds or notes in the name of this district for school construction purposes in an amount not to exceed $..... to construct a ..... (elementary or secondary school) to be located at..... (specifically defined lot where school is to be erected)

Yes No "

(2) "Shall the school director of School Administrative District No..... be authorized to issue bonds or notes in the name of this district for school construction or minor capital projects in an amount not to exceed $..... for the purpose of ..... (here state purpose of school construction project)

Yes No "

(3) "Shall the school directors of School Administrative District No..... be authorized to use the bond issue or notes in an amount not to exceed $..... which was voted by the district on ..... (date) to construct a ..... (elementary or secondary school) to be located at ..... (specifically define lot where school is to be located)

Yes No "

(4) "Shall the school directors of School Administrative District No. ..... be authorized to construct a ..... (elementary or secondary school) to be located at ..... (specifically defined lot where school is to be located) with the total project cost not to exceed $..... and to issue bonds or notes in the name of this district for school construction purposes in an amount not to exceed $..... with the balance of the total project costs to be derived from ..... (description of other sources of funds such as initial state share where approved for current fiscal year funding, proceeds from insured losses, money from federal sources, other noneducational funds, etc.)

Yes No "

[1985, c. 506, Pt. B, §§14, 18 (AMD).]

B. When a district votes to change the site of its school construction project using the article in paragraph A, subparagraph (3), the date of authorization of the project is the original date the voters authorized the board of directors to issue bonds or notes for that project. [1991, c. 2, §57 (COR).]

C. When a referendum is called for the purposes of approving the addition of a municipality to the district, the article shall be in the form set forth in section 1401, subsection 2, paragraph A. [1981, c. 693, §§5, 8 (NEW).]

D. When a referendum is called for the purpose of approving a proposed lease agreement with the Maine School Building Authority, the article shall be exactly as is set forth in the proposed lease agreement. [1981, c. 693, §§5, 8 (NEW).]

E. When a referendum is called for the purpose of authorizing the school board to contract for the schooling of secondary pupils, the article shall be as follows.

"Shall the school directors of School Administrative District No..... be authorized to contract in the name of this district with ..... (Name of Administrative Unit or Academy) for the schooling of secondary pupils for a term of ..... years?

Yes No "

[1983, c. 485, §15 (AMD).]

G. When a referendum is called for the purpose of authorizing a change in the method of sharing costs in the district, the article shall be as follows.

"Shall the method of sharing costs in School Administrative District No..... be changed from the present method ..... (describe) to the following method: ..... (describe)

Yes No "

[1981, c. 693, §§5, 8 (NEW).]

H. When a referendum is called for the purposes of accepting or rejecting a prospective gift, the article shall be as follows.

"Shall the school directors of School Administrative District No..... be authorized to accept a prospective gift under the following conditions? .....(set forth terms and conditions)

Yes No "

[1981, c. 693, §§5, 8 (NEW).]

I. When a referendum is called for the purpose of approving the agreement to transfer a municipality from one district to another district, the article shall be the form set forth in section 1406. [1981, c. 693, §§5, 8 (NEW).]

[1991, c. 2, §57 (COR) .]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1983, c. 422, §9 (AMD). 1983, c. 485, §15 (AMD). 1985, c. 506, §§B14,18 (AMD). 1989, c. 414, §5 (AMD). RR 1991, c. 2, §57 (COR). 1999, c. 93, §1 (AMD). 1999, c. 93, §1 (AMD).

§1353. REFERENDUM PROCEDURES

The following procedures apply to a district referendum. [2009, c. 2, §43 (COR).]

1. **Ballots.** The board of directors shall prepare and furnish the required number of ballots for carrying out the referendum as posted, including absentee ballots. It shall prepare and furnish all other materials necessary to fulfill the requirements for voting procedures.

[1981, c. 693, §§5,8 (NEW) .]

2. **Voting.** Voting must be held and conducted as follows.

A. The voting at referenda held in towns must be held and conducted in accordance with Title 30-A, sections 2524 and 2528 to 2532, even though the town has not accepted the provisions of Title 30-A, sections 2524 and 2525. The facsimile signature of the clerk under Title 30-A, section 2528, subsection 6, paragraph F must be that of the chair of the board of directors. If a district referendum is called to be held simultaneously with any statewide election, the voting in towns must be held and conducted in accordance with Title 21-A, except that the duties of the Secretary of State must be performed by the board and if the statewide election is a primary election, any registered voter may vote in the referendum. The absentee voting procedure of Title 21-A must be used, except the duties of the Secretary of State must be performed by the board. [1995, c. 168, §1 (AMD).]

B. The voting at referenda in cities must be held and conducted in accordance with Title 21-A, including the absentee voting procedure, except that the duties of the Secretary of State must be performed by the board of directors and if the statewide election is a primary election, any registered voter may vote in the referendum. [1995, c. 168, §1 (AMD).]

[1995, c. 168, §1 (AMD) .]

3. **Return and counting.** The return and counting of votes shall be as follows.

A. The municipal clerk shall, within 24 hours of the determination of the results of the vote in the municipality, certify and send to the board of directors the total number of votes cast in the affirmative and in the negative on each article. [1981, c. 693, §§5,8 (NEW).]

B. 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 all of the municipalities within the district in the affirmative and in the negative on each article. [1981, c. 693, §§5,8 (NEW).]

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

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

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

F. If the district votes on the question of merging with another district, the secretary shall immediately file a return with the state board of the results of the vote on the question of merger. [1981, c. 693, §§5,8 (NEW).]

[1981, c. 693, §§5,8 (NEW) .]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1983, c. 422, §10 (AMD). 1985, c. 797, §16 (AMD). 1987, c. 737, §§C43,C106 (AMD). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §§C8,C10 (AMD). 1989, c. 502, §A52 (AMD). 1995, c. 168, §1 (AMD). RR 2009, c. 2, §43 (COR).

§1354. RECONSIDERATION

The procedure to reconsider votes taken at a district referendum shall be as follows. [1981, c. 693, §§ 5, 8 (NEW).]

1. **Time limit.** The board of directors shall, within 60 days, initiate a new district referendum to reconsider the vote of the previous referendum if, within 7 days of the first referendum, at least 10% of the number of voters voting for the gubernatorial candidates in the last gubernatorial election in the municipalities within the district petition to reconsider a prior district referendum vote.

[1981, c. 693, §§ 5, 8 (NEW) .]

2. **Required quorum.** A reconsideration referendum is not valid unless the number of persons voting in that referendum is at least equal to the number who voted in the prior district referendum.

[1981, c. 693, §§ 5, 8 (NEW) .]

3. **Bond.** If the margin of the vote being reconsidered was between 10% and 25%, the petitioners shall post a bond with the petition equal to the actual and reasonable costs of the new referendum. If the margin of the vote being reconsidered exceeded 25%, the petitioners shall post an additional bond equal to the actual and reasonable costs which may be incurred as a result of the delay of an authorization or approval granted in the prior district referendum. If the petitioners are successful, the bonds shall be canceled.

[1981, c. 693, §§ 5, 8 (NEW) .]

SECTION HISTORY
1981, c. 693, §§5,8 (NEW).

Subchapter 6: REORGANIZATIONS

§1401. ADDITIONS

(REPEALED)

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1987, c. 395, Pt. A, §57 (AMD). 1987, c. 402, §A119 (AMD). 1987, c. 769, §A58 (AMD). 2007, c. 240, Pt. XXXX, §12 (RP).

§1402. COMBINING OF DISTRICTS

(REPEALED)

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1987, c. 395, §A58 (AMD). 2007, c. 240, Pt. XXXX, §12 (RP).

§1403. DISSOLUTION OF A DISTRICT

(REPEALED)

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1983, c. 364, §1 (AMD). 1987, c. 395, §A59 (AMD). 1987, c. 737, §§C44-C47, C106 (AMD). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §§C8,C10 (AMD). 2005, c. 683, §A23 (AMD). 2007, c. 240, Pt. XXXX, §12 (RP).

§1404. REORGANIZATION OF A SCHOOL ADMINISTRATIVE DISTRICT AS A COMMUNITY SCHOOL DISTRICT

(REPEALED)

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1983, c. 364, §2 (AMD). 1983, c. 485, §16 (AMD). 1987, c. 395, §§A60,A61 (AMD). 2007, c. 240, Pt. XXXX, §12 (RP).

§1405. WITHDRAWAL OF A SINGLE MUNICIPALITY FROM A SCHOOL ADMINISTRATIVE DISTRICT

(REPEALED)

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1983, c. 364, §3 (RPR). 1983, c. 422, §11 (RPR). 1983, c. 816, Pt. A, §11 (RP). 1987, c. 395, Pt. A, §§62, 63 (AMD). 2007, c. 240, Pt. XXXX, §12 (RP).

§1406. TRANSFER OF A MUNICIPALITY FROM ONE SCHOOL ADMINISTRATIVE DISTRICT TO ANOTHER

(REPEALED)

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1983, c. 364, §4 (AMD). 1987, c. 395, §A64 (AMD). 2007, c. 240, Pt. XXXX, §12 (RP).

§1407. CLOSING AN ELEMENTARY SCHOOL

(REPEALED)

SECTION HISTORY
1981, c. 693, §§5,8 (NEW). 1983, c. 364, §5 (AMD). 1989, c. 414, §6 (AMD). 1997, c. 266, §3 (AMD). 1999, c. 75, §3 (AMD). 1999, c. 206, §1 (AMD). 2005, c. 2, §D10 (AMD). 2005, c. 2, §§D72,74 (AFF). 2005, c. 12, §WW18 (AFF). 2007, c. 240, Pt. XXXX, §12 (RP).

§1408. STATE BOARD REVIEW OF COMMISSIONER'S DECISIONS

(REPEALED)

SECTION HISTORY
1987, c. 395, §A65 (NEW). 2007, c. 240, Pt. XXXX, §12 (RP).

§1409. RULES

(REPEALED)

SECTION HISTORY
1987, c. 395, §A65 (NEW). 2007, c. 240, Pt. XXXX, §12 (RP).

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