

# MAINE STATE LEGISLATURE

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MINORITY  
EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
118TH LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 506, L.D. 697, Bill, "An Act to Give Municipal Officials Oversight of School Administrative District Budgets"

Amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

**Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

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

**Sec. 1. 20-A MRSA §1302, first ¶,** as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

The Except when the voters of a school administrative district have elected to establish a school administrative district budget committee under section 1302-A, the district budget shall must be prepared as follows.

**Sec. 2. 20-A MRSA §1302-A** is enacted to read:

**§1302-A. Budget preparation by school administrative district budget committee**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the

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following meanings.

2  
4       A. "Budget committee" means the school administrative district budget committee for that school administrative district.

6  
8       B. "Municipal officer" means any elected member of a municipal government within the school administrative district.

10       2. Budget committee. A school administrative district shall establish a budget committee to carry out the purposes of this section if a majority of votes cast in the district at a general or special election approves the establishment of a budget committee.

16       A. The budget committee consists of not more than 20 members and not less than 4 members as follows:

20               (1) Two members elected from each municipality in the district as provided in paragraph B; and

22               (2) Two members of the board of directors for each municipality in the district elected by a majority vote of the board of directors.

26       B. Before January 15th of every year, the municipal officers shall caucus at a specified date, time and place for the purpose of electing 2 municipal officers from each district as members of the budget committee. Nominations must be received from the floor. The 2 nominees receiving the most votes are the budget committee members. The names of those elected by the caucus must be recorded and forwarded to the board of directors.

30       C. Budget committee members serve 2-year terms. If a budget committee member ceases to be a municipal officer or a member of the board of directors during the term of budget committee membership, the budget committee member vacates membership and a replacement must be elected as provided in paragraph A.

36       3. Budget process. The district budget must be prepared as follows.

40       A. The board of directors shall hold one or more public hearings on the budget at times convenient for the residents of the district and before March 1st of each year.

2 B. The board of directors shall submit a budget for the  
4 coming year to the budget committee no later than May 1st of  
6 each year. The budget committee shall review the budget and  
8 make additions or deletions to the budget by a majority vote  
10 of the budget committee. The vote of the budget committee  
12 is binding on the board of directors and the superintendent  
14 of that district.

16 C. The budget committee shall annually prepare a budget for:

18 (1) Operational costs;

20 (2) Bonds falling due;

22 (3) Interest on bonds or other obligations;

24 (4) Rentals and other charges in a contract;

26 (5) A lease or agreement with the Maine School  
28 Building Authority; and

30 (6) Temporary loans.

32 4. Distribution. At least 7 days before a district budget  
34 meeting, the budget committee shall make available to the  
36 legislative body responsible for final budget approval and to the  
38 residents of the district a detailed budget document. The budget  
40 document must include a summary of anticipated revenues and  
42 estimated expenditures.'

44 Further amend the bill by inserting at the end before the  
46 summary the following:

#### 48 **FISCAL NOTE**

50 A vote of a school administrative district may require  
individual municipalities to establish school district budget  
committees. The additional costs of this state mandate can not  
be determined. Pursuant to the Mandate Preamble, the two-thirds  
vote of all members elected to each House exempts the State from  
the constitutional requirement to fund 90% of the additional  
local costs.'

#### 52 **SUMMARY**

54 This amendment replaces the bill. It uses the county budget  
56 advisory committee process as a model for allowing school  
administrative districts to establish a school district budget

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committee consisting of municipal officers and school board  
2 members. The school board would still prepare a budget for the  
district, but would then submit it to the budget committee. The  
4 budget committee would be responsible for the final budget that  
is submitted to the voters of the school district. This  
6 amendment also adds a mandate preamble and a fiscal note to the  
bill.

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