

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 875

H.P. 625

House of Representatives, February 22, 2005

An Act To Change the Procedure When a Maine School Administrative District Budget Fails

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND

Clerk

Presented by Representative CEBRA of Naples.

Cosponsored by Representatives: BERUBE of Lisbon, CRESSEY of Cornish, FLETCHER of Winslow, HAMPER of Oxford, LANSLEY of Sabattus, ROBINSON of Raymond, VAUGHAN of Durham, Senator: SNOWE-MELLO of Androscoggin.

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

4 **Sec. 1. 20-A MRSA §1305, sub-§3,** as amended by 1993, c. 372,
§2, is further amended to read:

6 **3. Failure to approve a budget.** If the budget or a portion
8 of the budget fails to receive a majority vote at the referendum,
the board of directors shall decide in a public proceeding
10 whether a subsequent votes vote on the portion of the budget that
12 was defeated must be conducted in accordance with the referendum
procedure in subsection 2 or at a district budget meeting held at
14 a single place in the district in accordance with procedures in
sections 1303 and 1304. ~~Subsequent--votes~~ A subsequent vote
16 conducted in accordance with the referendum procedure in
subsection 2 must be held within 45 days. ~~Subsequent--votes A~~
subsequent vote conducted in accordance with sections 1303 and
18 1304 must be held within 30 days. These referenda or meetings
The referendum or meeting must be held solely for the purpose of
20 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~~
22 is adopted. If the budget or the portion of the budget fails to
receive a majority vote at the subsequent vote, then the budget
24 or the portion of the budget adopted in the immediately preceding
year replaces the budget or portion of the budget that the voters
26 failed to approve.

28 **Sec. 2. 20-A MRSA §1305-B, sub-§5,** as enacted by PL 1999, c.
30 710, §5, is amended to read:

32 **5. Failure to approve budget.** If the voters do not
validate the budget approved in the district budget meeting at
34 the budget validation referendum vote, the board of directors
shall hold another district budget meeting in accordance with
36 sections 1303 and 1304 at least 10 days after the referendum to
vote on a budget approved by the board of directors. The budget
approved at the subsequent district budget meeting must be
38 submitted to the voters for validation at referendum in
accordance with this section. ~~The process must be repeated until~~
40 ~~a budget is approved at a district budget meeting and validated~~
~~at referendum. -- If a budget is not approved and validated before~~
42 July 1st of each year, section 1308 applies. If the budget fails
to receive a majority vote at the subsequent vote, then the
44 budget adopted in the immediately preceding year replaces the
budget that the voters failed to approve.
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SUMMARY

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4 Under current law, if a budget or portion thereof fails
6 after a referendum vote, the board of directors of the school
8 administrative district is authorized to schedule unlimited
10 meetings to resubmit the budget to the voters. This bill instead
authorizes one subsequent meeting to resubmit the budget to the
voters, and if it again fails, the budget or portion of the
budget adopted in the immediately preceding year replaces the
budget or portion of the budget that the voters failed to approve.