

MAINE STATE LEGISLATURE

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Legislative Document

No. 2479

H. P. 1945 House of Representatives, February 4, 1974
Reported by Mr. Tyndale from the Committee on Education and printed
under Joint Rules No. 18.

E. LOUISE LINCOLN, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

AN ACT Relating to the Budgetary Process of the Eleven
New Regions for Vocational Education.

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

Whereas, there is an urgent need for vocational education in these regions of the State; and

Whereas, the budgetary process in effect does not adequately meet the needs of local government and State Government; and

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

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

Sec. 1. R. S., T. 20, § 2356-A, sub-§ 5, amended. Subsection 5 of section 2356-A of Title 20 of the Revised Statutes, as enacted by chapter 605 of the public laws of 1973, and as amended, is further amended by repealing the 3rd, 4th, 5th and 6th paragraphs.

Sec. 2. R. S., T. 20, §2356-A, sub-§ 5, amended. Subsection 5 of section 2356-A of Title 20 of the Revised Statutes, as enacted by chapter 605 of the

public laws of 1973, and as amended, is further amended by adding after the 2nd paragraph, the following:

The cooperative board shall annually before January 31st call a budget meeting for the vocational region by using procedures set forth below:

A. Warrant. Each regional meeting shall be called by a warrant. The warrant shall be signed by a majority of the cooperative board membership.

(1) It shall specify the time and place of the meeting.

(2) It shall be directed to any resident living within the vocational region by name ordering him to notify all voters within the region to assemble at the time and place appointed.

(3) 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 vocational region at least 7 days before the meeting.

(4) The person who gives notice of the meeting shall make his return on the warrant stating the manner of notice in each municipality and the time when it was given.

B. Form. The warrant for calling the budget meeting of the vocational region shall include such articles as the cooperative board deems necessary to place before the voters for their consideration the vocational programs and the authorization to expend funds of the region for the fiscal year. A detailed supportive budget document shall be available to the legislative body which has responsibility for final budget approval. The supportive document shall contain a summary of anticipated revenues and estimated expenditures for the fiscal year. Any budget adopted under this section prior to the effective date of this Act shall be validated, approved and declared legal. The 1974-1975 budget may be adopted using the procedures set forth in this section even though the budget meeting is called after January 31st.

C. Alternative budget approval procedure. Whenever a vocational region contains 2 or more municipalities with the council form of government, the municipal officers of the entire region may by a $\frac{2}{3}$ vote take an action to adopt the alternative budget approval procedure. If the municipal officers fail in any year to adopt the alternative budget approval procedure, the regional budget meeting shall be called by the cooperative board. The cooperative board shall notify the municipal officers in writing at least 7 days in advance of the time and place for the budget presentation and review. Supportive budget documents shall be furnished to the municipal officers at the same time that notice of the meeting is given. If the alternative budget approval procedure is adopted, the budget shall be reviewed and adopted by a majority vote of the municipal officers present and voting. The budget, as accepted by the municipal officers for the vocational region under this alternative, shall be the officially adopted budget and the vocational board shall proceed to notify the member municipalities of the share of the vocational budget which must be paid to the cooperative board during the next fiscal year.

D. Budget procedure.

(1) The cooperative board shall appoint a resident of the region to make and keep a voting list of all residents in the region eligible to vote. This person shall be known as the registration clerk. The registration clerk shall compile the voting list from the voting lists of all the municipalities lying within the region. The town or city clerk shall deliver to the vocational region registration clerk, 5 business days prior to the regional district budget meeting, a certified corrected copy of the voting list of the member municipality. No additions or deletions shall be made during the 5 business days prior to said meeting and only those citizens whose names appear on the voting list may vote on the budget presented by the cooperative board.

(2) The chairman of the cooperative board, or in his absence his designee, shall open the budget meeting by calling for the election of a moderator, receiving and counting votes for the moderator, and swearing in the moderator.

(3) As soon as he has been elected and sworn, the moderator shall preside at the meeting and the annual budget shall be adopted by a majority vote of those present and voting. The moderator shall appoint from the certified voting lists such ballot clerks as he deems necessary for the efficient operation of the meeting. Such ballot clerks shall be sworn by the moderator.

(4) The secretary of the cooperative board, or in his absence his designee, shall record accurately all the votes of the regional meeting.

(5) The cooperative board shall, forthwith upon the adoption of a budget, compute the share to be paid by each municipality within the region and shall notify the school officials to include said share in the administrative unit's annual school budget.

(6) The school officials shall place on the school payroll for payment the first of each month a sum equivalent to $\frac{1}{12}$ of the municipality's share of the cooperative school budget as adopted.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

This legislation will permit voters in the new vocational regions to exercise their rights in adopting a vocational budget.