

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES (Filing No. H-1150)  
107TH LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 2208, L.D. 2308, Bill, "AN ACT to Provide for a Line Budget Procedure for All School Systems."

Amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

'Sec. 1. 20 MRSA §226, sub-§3, as last amended by PL 1975, c. 623, §20, is further amended by adding at the end the following new paragraphs:

The format of the school budget may be determined by the voters of a school district by adoption of an appropriate warrant article at a properly called school district meeting or under the procedures prescribed in Title 20, section 225, subsection 2, paragraphs A to F. Such an article may be placed upon the next warrant issued or ballot printed by a majority vote of the school district directors or on the written petition of a number of voters equal to at least 10% of the number of votes cast in the last gubernatorial election in each municipality comprising the district. Any change in budget format shall be voted upon at least 90 days prior to the budget year for which such change is to be effective.

The school budget format shall be prepared by specific line categories until such time as 20% of the number of registered voters vote on an appropriate warrant article prescribing the school budget format.

The specific line categories shall include administration, instruction, transportation, operation of plant, maintenance and repairs, fixed charges, capital outlay from current funds, debt service, tuition charges, adult education and any additional categories or subcategories the school directors may select. Each specific line category shall be included in a separate warrant article. Unless voted otherwise, the school directors shall not have the authority to transfer funds between line categories without approval of the voters.

To summarize the action taken on the school budget, for purposes of determining state and local cost sharing, the articles prescribed in chapter 512-A shall also be voted upon.

Sec. 2. 20 MRSA §362, as last amended by PL 1975, c. 510, §19, is further amended by adding at the end the following new paragraphs:

The format of the school budget may be determined by the voters of a community school district by adoption of an appropriate warrant article at a properly called meeting or on a warrant issued by the board of trustees, specifying that the municipal officers of the municipalities within the community school district shall place the article on a secret ballot to be voted on at an election conducted in accordance with Title 30, sections 2061 to 2065. It shall be the duty of the board of trustees of the community school district to prepare and furnish the required number of ballots for carrying out the election, including absentee ballots. An article specifying the budget format may be placed upon the next warrant issued

or ballot printed by a majority of the board of trustees or on the written petition of a number of voters equal to at least 10% of the number of votes cast in the last gubernatorial election in each municipality comprising the district. Any change in budget format shall be voted upon at least 90 days prior to the budget year for which such change is to be effective.

The school budget format shall be prepared by specific line categories until such time as 20% of the number of registered voters vote on an appropriate warrant article prescribing the school budget format. The specific line categories shall include administration, instruction, transportation, operation of plant, maintenance and repairs, fixed charges, capital outlay from current funds, debt service, tuition charges, adult education and any additional categories or subcategories the school directors may select. Each specific line category shall be included in a separate warrant article. Unless voted otherwise, the school directors shall not have the authority to transfer funds between line categories without approval of the voters.

To summarize the action taken on the school budget, for purposes of determining state and local cost sharing, the articles prescribed in chapter 512-A shall also be voted upon.

Sec. 3. 20 MRSA §3752 is enacted to read:

§3752. School budgets

The format of the school budget may be determined in accordance with Title 20, section 226, subsection 3, or Title 20, section 362.

In a town or city where the responsibility for final adoption of the school budget is vested by municipal charter in a town or city council, the school budget format may be changed through amendment of the charter under the home rule procedures prescribed in Title 30, sections 1911 to 1920.

Where the final budget authority is vested in a town meeting operating under the general enabling procedures of Title 30, the format of the school budget may be determined by the town meeting or under the procedures prescribed in Title 30, section 2053 or section 2061.

Where community school district trustees are responsible for final adoption of a school budget, the school budget format may be determined by a warrant issued by the school district trustees specifying that the municipal officers of the municipalities within the community school district shall place the article on a secret ballot to be voted on at an election conducted in accordance with Title 30, sections 2061 to 2065. It shall be the duty of the board of trustees to prepare and furnish the required number of ballots for carrying out the election, including absentee ballots. An article specifying the budget format may be placed upon the next warrant issued or ballot printed by a majority of the board of trustees or

on the written petition of 10% of the number of votes cast in the last gubernatorial election in each municipality comprising the district.

Any changes in budget format shall be voted upon at least 90 days prior to the budget year for which such change is to be effective.

The school budget format shall be prepared by specific line categories until such time as 20% of the number of registered voters vote on an appropriate warrant article prescribing the school budget format. The specific line categories shall include administration, instruction, transportation, operation of plant, maintenance and repairs, fixed charges, capital outlay from current funds, debt service, tuition charges, adult education and any additional categories or subcategories the school directors may select. Each specific line category shall be included in a separate warrant article. Unless voted otherwise, the school directors or school committee shall not have the authority to transfer funds between line categories without approval of the voters.

To summarize the action taken on the school budget, for purposes of determining state and local cost sharing, the articles prescribed in chapter 512-A shall also be voted upon.

Sec. 4. Effective date. The effective date of this act shall be September 1, 1976.'

Statement of Fact

This amendment gives the voters of any city, town, school district or community school district the authority to determine the school budget format for their respective schools. This can be accomplished either at the district budget meeting or through a referendum vote. The voters are given the authority to petition to have such an article to be voted upon if the school directors do not place an article on the warrant or ballot.

Cities and towns with a municipal charter where the city or town council has final school budget authority may change the school budget format under the home rule charter amendment process.

A total vote equal to 20% of the registered voters is required to be cast before a school budget format change can be adopted. A majority of those voting would decide the question if a number of votes equal to at least 20% of the registered voters were cast.

This bill requires a line item budget until the voters decide otherwise.

Reported by Report "A" of the Committee on Education.

Reproduced and distributed under the direction of the Clerk of the House.  
3/30/76

(Filing No. H-1150)