

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
FIRST SPECIAL SESSION
107TH LEGISLATURE

COMMITTEE AMENDMENT "B" 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 every thing after the
enacting clause and before the Statement of Fact 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 paragraph:

4The 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 section 225, subsection 2, paragraphs A
to E. 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. The budget format
shall be that prescribed by a majority of the school directors
until such time as 20% of the number of registered voters certified
by the several town or city clerks to the secretary of the school
district vote on an appropriate warrant article prescribing the
school budget format. Any change in budget format shall be voted
at least 90 days prior to the budget year for which such change
is to be effective. If it is voted to have the school budget

prepared by specific line categories, each 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 item categories without approval of the voters of the district. To summarize the action taken on the school budget for the 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 paragraph:

¶ 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. Such an article may be placed upon the next warrant issued by a majority vote of the school committee and 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. The budget format shall be that prescribed by a majority of the school directors until such time as 20% of the number of registered voters certified by the several town or city clerks to the secretary of the school district vote on an appropriate warrant article prescribing the school budget format. Any change in budget format shall be voted at least 90 days prior to the budget year for which such change is to be effective. If it is voted to have the school

budget prepared by specific line categories, each category shall be included in a separate warrant article. Unless voted otherwise, the school committee shall not have the authority to transfer funds between line item categories without approval of the voters of the district. To summarize the action taken on the school budget for the 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 section 226, subsection 3 or 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 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 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 budget format shall be that prescribed by a majority vote of the school directors or school committee until such time as 20% of the registered voters vote on an appropriate warrant article prescribing the school budget format.

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. This Act shall become effective 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, can 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 amendment gives the school directors or school committee the authority to determine the budget format until the voters decide otherwise.

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

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

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