

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 918

H. P. 731

House of Representatives, March 2, 1979

On Motion of Mr. Connolly of Portland, referred to the Committee on Education. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Rollins of Dixfield.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Require Each Town in a School Administrative District to Vote on the District's Budget at a Town Meeting.

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

Sec. 1. 20 MRSA § 225-A is enacted to read:

§ 225-A. Budget

1. **District budget meeting.** A district budget meeting may be called to approve the operating school budget, reserve fund for capital outlay purposes, contingency fund or capital outlay appropriations or for the purpose of pledging the credit of the district to obtain additional moneys for the operation of schools. A special district budget meeting may be called whenever the directors declare that an emergency exists. The district budget meeting shall be held in accordance with section 225.

2. **Failure to approve operating budget.** If, at any district budget meeting, the voters fail to approve the operating school budget or any part thereof, subsequent district budget meetings shall be held and the voting at these meetings shall be done at a single place within the district. These meetings shall be held solely for the purpose of approving an alternate operating school budget to replace the proposed budget or the part thereof which the voters failed to approve. These meetings shall be held in accordance with the following.

A. Each district meeting shall be called by a warrant. The warrant shall be signed by a majority of the school directors.

- (1) It shall specify the time and place of the meeting.**
- (2) It shall be directed to any resident of the School Administrative District by name ordering him to notify all voters within the district 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 School Administrative District 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. The warrant for calling the district meeting shall include, but not be limited to, the following:

- (1) The proposed budget, and such other articles as the board of directors may choose to place before the voters for their consideration, excluding authorization to borrow money for school construction purposes.**

When requested by 10% of the number of voters voting for the gubernatorial candidates at the last statewide election in each municipality comprising a School Administrative District, the board of directors shall place specific articles, not in conflict with existing state statutes, in the warrants for consideration at the next annual district budget meeting, in accordance with this section.

To be included in the warrant such a petition must be in the hands of the board of directors at least 15 days before the date set for the district budget meeting. When placed upon the warrant, the articles must be considered before the action relating to the appropriation of money for the operation of schools.

C. The warrants shall set forth the school budget to include the state and local allocation, local leeway and additional expenditures within the limitations of the statute. A detailed budget document shall be available to the legislative body which has responsibility for final budget approval and to any resident of the district at least 7 days prior to the district budget meeting. The budget document shall contain a summary of anticipated revenues and estimated school expenditures for the fiscal year.

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 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 numbers 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 the 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 515 shall also be voted upon.

D. The procedure for return and counting of votes is as follows.

(1) Each person whose name appears on the municipal voting list of the municipalities within the district and is qualified to vote in municipal affairs may attend and vote at a district budget meeting. The town or city clerk shall deliver to the secretary of the School Administrative District, prior to the district budget meeting, a certified corrected copy of the voting list of the residents of the member municipality of the district.

(2) The secretary of the school directors or, in his absence, the chairman of the board, shall open the meeting by calling for the election of a moderator, receiving and counting votes for 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 acted upon by the voters present and voting. The moderator shall appoint from the certified voting list such ballot clerks as he deems necessary for the efficient operation of the meeting. The ballot clerks shall be sworn by the moderator.

(4) The secretary to the school directors or, in his absence, the chairman of the board, shall record accurately all the votes of the district meeting.

E. Registration of voters for the district budget meeting shall be held in each member municipality in accordance with the time schedule specified in Title 21, section 631.

Sec. 2. 20 MRSA § 226, as amended is repealed.

STATEMENT OF FACT

The purpose of this bill is to require that voting on the budgets of school administrative districts shall be conducted in the member towns of the district.

If the budget is not approved as a result of this initial vote, subsequent budgets are to be voted on in a meeting in a single place within the district.