## MAINE STATE LEGISLATURE

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# (EMERGENCY) (NEW DRAFT OF H.P. 1501, L.D. 2051) SECOND REGULAR SESSION

#### ONE HUNDRED AND THIRTEENTH LEGISLATURE

#### Legislative Document

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NO. 2518

H.P. 1840 House of Representatives, March 14, 1988
Reported by Representative BOST from the Committee on
Education and printed under Joint Rule 2.

EDWIN H. PERT, Clerk Original bill sponsored by Representative MURPHY of Berwick. Cosponsored by Senator TUTTLE of York and Representative SMALL of Bath.

#### STATE OF MAINE

### IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-EIGHT

AN ACT to Amend the Law Concerning
Alternate Voting Procedures for School Budget
Approval.

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

Whereas, the current language prescribed by law for a School Administrative District to either

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1 establish or reconsider an alternative school budget
2 approval voting procedure is ambiguous in that it does
3 not describe the alternatives; and

Whereas, that language may cause confusion among voters and create hardship among School Administrative Districts which are permitted to petition for reconsideration of the alternative voting procedure only every 3 years; and

9 Whereas, districts wishing to vote to reconsider 10 the alternative voting procedure must do so before the 11 passage of 90 days from the end of the session in 12 order for a new procedure to be effective for approval 13 of this year's school budget; and

Whereas, in the judgment of the Legislature, these 14 facts create an emergency within the meaning of the 15 16 Constitution of Maine and require the following 17 legislation as immediately necessary for preservation of the public peace, health and safety; 18 19 now, therefore,

20 Be it enacted by the People of the State of Maine as 21 follows:

22 Sec. 1. 20-A MRSA \$1305, first  $\P$ , as amended by 23 PL 1983, c. 639, \$1, is further amended to read:

If requested by a written petition of at least 10% of the number of voters voting in the last gubernatorial election in the municipalities within the district, the board of directors shall cause the following article to be voted on by the voters of the member municipalities.

"Shall School Administrative District No.....
require that the voting at future district budget
meetings and special district budget meetings be
done by referendum within each member municipality
of the district instead of using the district
meeting procedure?

36 Yes No "

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1 2 3	
4 5 6 7 8 9 10	4. Reconsideration of alternative voting procedure. If a School Administrative District has adopted the alternative voting procedure in accordance with this section, then the board of directors may submit the following article to the voters not more than once every 3 years, to determine if the district will change its voting process to the process set out in sections 1303 and 1304.
12 13 14 15 16 17 18	"Shall School Administrative District No. change its voting procedure so that future district budget meetings and special district budget meetings use the district meeting procedure instead of the alternative voting procedure which is voting by referendum within each member municipality of the district?
20	Yes No"
21 22 23 24 25	A. The process for reconsideration may be initiated either by the board of directors or by a written petition of at least 10% of the number of voters voting in the last gubernatorial election in the municipalities within the district.
26 27 28	B. The procedure for voting on the article and for carrying out the election shall be as set forth in this section.
29 30 31 32 33 34	C. If the article passes, then future district budgets will be adopted in accordance with sections 1303 and 1304; if the article fails to pass, then the alternative voting procedure will continue to be the process for adopting budgets in the district.

Emergency			clause.	Ιr	ı vi	iew o	of the	emer	gency
cited	in	the	preamble,	this	Act	shall	take	effect	when
approv	≀ed.								

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#### STATEMENT OF FACT

The purpose of this new draft is to further clarify the language of the article to be voted on by voters of School Administrative District a to reconsider use of the alternative school budget approval procedure and to add language parallel to that in the original bill to the article voted on to establish the alternative procedure. The new draft also adds an emergency preamble and emergency clause, that articles to change the voting procedure approved this year may affect voting on this year's budget.

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