

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

OK
R. of S.

L.D. 771

(Filing No. H- 489)

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46

STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to S.P. 252, L.D. 771, Bill, "An Act to Enhance Voters' Rights in Budget Approval of School Districts"

Amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

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

Whereas, this legislation amends current law concerning the procedure for adopting an annual school administrative district budget; and

Whereas, school administrative districts are now or soon will be considering budgets for the 1993-94 school year; and

Whereas, failure to enact this legislation as an emergency will prevent school administrative districts from realizing the benefits of this improved budget process until 1994; 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. 20-A MRSA §1305, sub-§2, as amended by PL 1983, c. 770, §2, is further amended to read:

2. Application. Following the board of director's

HOUSE AMENDMENT

2 declaration that the article has passed, the board shall cause
3 the voting at all future district budget meetings and to be
4 called within each municipality within the district. The voting
5 shall must be held in accordance with the procedures set out in
6 sections 1351 to 1354, except that the warrant and absentee
7 ballots for the meeting shall must be prepared and distributed to
8 the municipal clerks at least 14 days prior to the date of the
9 referendum. The board may hold informational meetings on voting
10 procedure and budget prior to voting. The board shall be
11 responsible for the form of the articles to be voted on in the
12 municipalities, except as otherwise provided by law.

13 **Sec. 2. 20-A MRSA §1309**, as amended by PL 1983, c. 806, §19,
14 is further amended to read:

15 **§1309. Special budget meeting**

16
17 The school board may call a special budget meeting when they
18 declare it declares an emergency ~~to exist~~ exists. The voters of
19 the district may authorize the directors at a special district
20 budget meeting to expend additional funds from the district's
21 undesignated fund balance or to pledge the credit of the district
22 to obtain additional ~~moneys~~ money for the operation of schools.
23 The special budget meeting shall must be held in accordance with
24 sections 1302 to 1307.

25 **Sec. 3. 20-A MRSA §1311, sub-§1, ¶C**, as amended by PL 1983, c.
26 422, §5, is further amended to read:

27 C. Minor capital costs as defined in section ~~15503~~ 15603,
28 subsection ~~14~~ 18.

29 **Emergency clause.** In view of the emergency cited in the
30 preamble, this Act takes effect when approved.

31
32
33 **STATEMENT OF FACT**

34
35 This amendment makes the following changes to required
36 budget procedures in a school administrative district or
37 "S.A.D." The amendment:

- 38
39 1. Requires that absentee ballots for an SAD referendum be
40 prepared and distributed at least 14 days prior to the
41 referendum. Current law provides that absentee ballots be
42 distributed 30 days prior to the referendum. This provision
43 brings the time period required for distributing absentee ballots
44 into line with the time period required for distributing the
45 warrant. It also encourages more timely adoption of a budget if
46
47
48

R. of S.
HOUSE AMENDMENT "A" to S.P. 252, L.D. 771

2 the budget fails at a referendum by shortening the time before
the next referendum may be held;

4 2. Permits voters in an SAD to authorize the board of
6 directors to expend funds from the district's undesignated fund
balance; and

8 3. Makes other technical changes to the laws.

10 The amendment also adds an emergency preamble and an
emergency clause and a fiscal note to the bill.

12

Filed by Rep. E. Mitchell of Vassalboro
Reproduced and distributed under the direction of the Clerk of the
House
6/1/93 (Filing No. H-489)