

# MAINE STATE LEGISLATURE

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JOK  
R. of S.

L.D. 771

(Filing No. H-499 )

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

HOUSE AMENDMENT "B" 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**Sec. 1.** 20-A MRSA §1305, sub-§3, as repealed and replaced by PL 1983, c. 770, §3, is amended to read:

**HOUSE AMENDMENT**

R. of S.

3. **Failure to approve a budget.** If the budget or portion  
 2 of the budget fails to receive a majority vote at the referendum,  
 the board of directors shall decide in a public proceeding  
 4 whether subsequent votes on the portion of the budget which that  
 was defeated shall must be conducted in accordance with the  
 6 referendum procedure in subsection 2, or at a district budget  
 meeting held at a single place in the district, in accordance  
 8 with procedures in sections 1303 and 1304. Subsequent votes  
conducted in accordance with the referendum procedure in  
 10 subsection 2 must be held within 45 days. Subsequent votes  
conducted in accordance with sections 1303 and 1304 must be held  
 12 within 30 days. These referenda or meetings shall must be held  
 solely for the purpose of approving an alternative operating  
 14 school budget to replace the part of the proposed budget which  
that the voters failed to approve. The board may continue in  
 16 this manner until an alternative budget is adopted.

**STATEMENT OF FACT**

20 This amendment establishes time limits for voting on a  
 22 School Administrative District budget if the budget has failed at  
 a referendum. If a subsequent vote is held at a referendum it  
 24 must be held within 45 days. If a subsequent vote is conducted  
 at a district budget meeting held at a single place within the  
 26 district it must be held within 30 days.

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 Filed by Rep. Carroll of Gray  
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 House  
 6/1/93 (Filing No. H-499)