

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 771

S.P. 252

In Senate, March 4, 1993

An Act to Enhance Voters' Rights in Budget Approval of School Districts.

(EMERGENCY)

Reference to the Committee on Education suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator TITCOMB of Cumberland.
Cosponsored by Senators: O'DEA of Penobscot, VOSE of Washington, Representatives:
BRUNO of Raymond, KUTASI of Bridgton, PLOURDE of Biddeford.

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

4
Whereas, under current law, a school administrative district
6 budget that has been rejected by the voters goes into effect
unless a subsequent budget is proposed and passed prior to July
8 1st; and

10
Whereas, the voters do not have the expertise to create an
alternative proposal, thus limiting their input in the budget
12 process; and

14
Whereas, this bill provides for an incentive to the school
board and school management to propose an alternative that is
16 likely to more closely resemble a compromise solution; and

18
Whereas, it is necessary that this legislation take effect
prior to July 1st, the deadline for approval of school
20 administrative district budgets; and

22
Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
24 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
26 safety; now, therefore,

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

30 **Sec. 1. 20-A MRSA §1308, as amended by PL 1991, c. 429, §3,**
is further amended to read:

32 **§1308. Failure to pass budget**

34
36 If a budget for the operating of the district is not
approved prior to July 1st, the budget as ~~submitted by the board~~
of ~~directors~~ approved by the voters for the prior year is
38 automatically considered the budget approved for operational
expenses for the ensuing year or until a budget is approved by
40 the voters pursuant to section 15617, subsection 2, paragraph D.
In districts with line-item budgets, only those line items
42 rejected by the voters are funded at the prior year's amount.
All other lines are funded in the amounts approved by the voters,
44 except that, when the school board delays the school budget
meeting in accordance with section 15617, subsection 2, paragraph
46 C, the operating budget must be approved within 30 days of the
date the commissioner notifies the school board of the amount
48 allocated to the school unit under section 15613 or the budget
~~submitted by the directors~~ approved by the voters for the prior
50 year becomes the operating budget for the next school year.

