

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 190

H.P. 147

House of Representatives, January 16, 1997

**An Act to Require a Revote by Referendum on a School Budget and to Clarify the Budget Referendum Approval Process.**

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Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative SKOGLUND of St. George.  
Cosponsored by Representatives: BARTH of Bethel, FULLER of Manchester, LEMKE of Westbrook, PIEH of Bremen, SIROIS of Caribou, VOLENIK of Brooklin, Senator: PINGREE of Knox.

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 1993, c. 372, §1, is further amended to read:

2. **Application.** Following the board of ~~direector's~~ directors' declaration that the article has passed, the board shall cause the voting at all future district budget meetings and to be called within each municipality within the district. The voting must be held in accordance with the procedures set out in sections 1351 to 1354, except that the warrant and absentee ballots for the meeting must be prepared and distributed to the municipal clerks at least 14 days prior to the date of the referendum. The board may hold informational meetings on voting procedure and budget prior to voting. The board ~~shall--be is~~ responsible for the form of the articles to be voted on in the municipalities, except as otherwise provided by law. The board may include in the warrant an explanation of the relationship between warrant articles authorizing specific line item expenditures prescribed in section 1307, subsection 1 and the articles prescribed in chapter 606 summarizing the budget proposal.

Sec. 2. 20-A MRSA §1305, sub-§3, as amended by PL 1993, c. 372, §2, is further amended to read:

3. **Failure to approve a budget.** If the budget or a portion of the budget fails to receive a majority vote at the referendum, the board of directors shall ~~decide--in--a--public--proceeding whether--subsequent--votes--on--the--portion--of--the--budget--that--was--defeated--must--be--conducted~~ submit to a revote, changed or unchanged, the portion of the budget that was defeated in accordance with the referendum procedure in subsection 2 or at a district budget meeting held at a single place in the district in accordance with procedures in sections 1303 and 1304, up to 2 times, until an alternative budget is adopted. Subsequent votes conducted in accordance with the referendum procedure in subsection 2 must be held within 45 days. ~~Subsequent--votes conducted--in--accordance--with--sections--1303--and--1304--must--be--held within--30--days.~~ These referenda or meetings must be held solely for the purpose of approving an alternative operating school budget to replace the part of the proposed budget that the voters failed to approve. ~~The--board--may--continue--in--this--manner--until an--alternative--budget--is--adepted~~ If the portion of the budget that failed to receive a majority vote includes a summary article prescribed in chapter 606, that portion of the budget may be resubmitted for revote accompanied by a written explanation of the relationship between the warrant articles authorizing specific line item expenditures and the articles prescribed in chapter 606 summarizing the budget proposal. If, after 2 revotes by referendum, that portion of the budget that failed to receive

2 a majority vote still fails to pass by a majority, it must be  
3 funded at the level of funding authorized in the previous year.

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5 **SUMMARY**

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7 This bill will allow school districts to clarify the  
8 relationship between the warrant articles authorizing specific  
9 line item expenditures and the warrant articles summarizing the 3  
10 major types of expenditures. The purpose of the bill is to  
11 correct the situation that arises when voters approve the  
12 specific line item expenditures but not the overall school budget.