

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 1766

H.P. 1232

House of Representatives, March 27, 2007

### **An Act To Amend the Authorization Procedures for Certain Municipal and School Budgets**

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative WOODBURY of Yarmouth.

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

2 **Sec. 1. 20-A MRSA §15690, first ¶**, as enacted by PL 2005, c. 2, Pt. D, §62,  
3 affected by §§72 and 74 and affected by c. 12, Pt. WW, §18, is amended to read:

4 Beginning with the budget for the 2005-2006 school year and ending with the budget  
5 for the 2007-2008 school year, the following provisions apply to local appropriations for  
6 school purposes.

7 **Sec. 2. 20-A MRSA §15690-A** is enacted to read:

8 **§15690-A. Local appropriations**

9 Beginning with the budget for the 2008-2009 school year, the following provisions  
10 apply to local appropriations for school purposes.

11 **1. Essential programs and services article.** The legislative body of each school  
12 administrative unit must raise and appropriate a certain amount of local funds in order to  
13 support essential programs and services costs, as described in the Essential Programs and  
14 Services Funding Act, and be eligible for its full share of school subsidy from the State.

15 An article and explanation in substantially the following form must be used when  
16 considering the local contribution to essential programs and services costs.

17 "Article.....: To see what sum (municipality or district) will appropriate for the total  
18 cost of funding public education from kindergarten to grade 12 as described in the  
19 Essential Programs and Services Funding Act (Recommend \$.....) and to see what  
20 sum the (municipality or district) will raise as the local contribution to these costs.  
21 (Recommend \$.....)"

22 "Explanation: Essential programs and services costs, or EPS costs, are those costs  
23 determined by the State to be necessary to meet the State's learning results standards.  
24 For fiscal year ....., total EPS costs for (municipality or district) are \$..... to be  
25 funded through a state allocation of \$..... and a local contribution of \$..... Support  
26 of this article is required in order to receive the full state subsidy."

27 **2. Non-state-funded debt service article.** For a school administrative unit's  
28 indebtedness previously approved by its legislative body for non-state-funded major  
29 capital school construction projects or non-state-funded portions of major capital school  
30 construction projects and minor capital projects, the legislative body of each school  
31 administrative unit may vote to raise and appropriate an amount up to the municipality's  
32 or district's annual payments for non-state-funded debt service.

33 An article in substantially the following form must be used.

34 "Article ....: To see what sum the (municipality or district) will raise and appropriate  
35 from local funds for the annual payments on debt service for non-state-funded school  
36 construction projects previously approved by voters or other legislative body.  
37 (Recommend \$.....)"

1 **3. Additional local spending article.** A school administrative unit may raise and  
2 appropriate local funds in excess of those raised and appropriated under subsections 1 and  
3 2 if approved in a separate article in substantially the following form.

4 "Article .....: To see what sum the (municipality or district) will raise and appropriate  
5 from local funds in excess of essential programs and services costs and non-state-  
6 funded debt costs. (Recommend \$.....)"

7 The department shall develop guidelines for comparing essential programs and services  
8 and actual spending and distribute these guidelines to municipalities and school  
9 administrative units annually.

10 **4. In excess of 5%.** If the school administrative unit intends to raise and appropriate  
11 an additional local amount in excess of 5% of essential programs and services costs, as  
12 defined in the Essential Programs and Services Funding Act, the article under subsection  
13 3 must be approved by written ballot and include a statement in substantially the  
14 following form.

15 "Explanation: This article seeks to obtain additional local funds in order to fund the  
16 following cost centers within the school budget at levels higher than provided in the  
17 essential programs and services school funding model:

18 1. System administration (Superintendent's office)

19 EPS - \$.....

20 Proposed budget \$.....

21 2. School administration

22 EPS - \$.....

23 Proposed budget \$.....

24 3. Instruction

25 EPS - \$.....

26 Proposed budget \$.....

27 4. Special education

28 EPS - \$.....

29 Proposed budget \$.....

30 5. Transportation

31 EPS - \$.....

32 Proposed budget \$.....

33 6. Cocurricular and extracurricular activities

34 EPS - \$.....

35 Proposed budget \$.....

36 7. Facilities operations

1           EPS - \$.....  
2           Proposed budget \$.....  
3        8. Other (specify)  
4           EPS - \$.....  
5           Proposed budget \$.....  
6        All categories combined  
7           EPS - \$.....  
8           Proposed budget \$.....

9        **5. Total budget article.** A school administrative unit shall include a summary  
10 article indicating the total annual budget for funding public education from kindergarten  
11 to grade 12 in the school administrative unit, including the school administrative unit's  
12 contribution to essential programs and services costs, non-state-funded school  
13 construction projects, additional local funds, unexpended balances, tuition receipts, state  
14 subsidy and other receipts. The amount recommended must be the gross budget of the  
15 school system. This article does not provide money unless the other articles are approved.

16 An article in substantially the following form must be used.

17        "Article .....: To see what sum the (municipality or district) will authorize the school  
18 committee to expend for the fiscal year beginning (July 1, ....) and ending (June 30,  
19 ....) for all purposes. (Recommend \$.....)"

20        **6. Municipal assessment article.** In a school administrative unit that encompasses  
21 more than one municipality, the school administrative unit must allocate the local  
22 assessment among those municipalities encompassed by the unit. An article in  
23 substantially the following form must be used when allocating the local share across  
24 participating municipalities.

25        "Article.....: To accept state funding for schools in (district), and to see what sum the  
26 unit will assess as each participating municipality's contribution to the total cost of  
27 funding public education from kindergarten to grade 12. (Recommend amount set  
28 forth below):

29        Total school budget: (\$amount)

30        State contribution and other available funds: (\$amount)

31        Net local assessment: (\$amount)

32        Assessment to municipality A: (\$amount)

33        Assessment to municipality B: (\$amount)

34        Assessment to municipality C: (\$amount)

35        Total local assessment: (\$sum of A, B and C)"

36        **7. Vote.** Actions taken pursuant to subsections 1 to 6 must be taken by a recorded  
37 vote.

