

# MAINE STATE LEGISLATURE

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L.D. 1932

Date: 2-25-08

(Filing No. S- 430)

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STATE OF MAINE  
SENATE  
123RD LEGISLATURE  
SECOND REGULAR SESSION

SENATE AMENDMENT "C" to S.P. 741, L.D. 1932, Bill, "An Act To Amend the Laws Regarding School Funding"

Amend the bill by inserting after section 4 the following:

'Sec. 5. 20-A MRSA c. 112 is enacted to read:

CHAPTER 112

BUDGET VALIDATION REFERENDUM

§2401. Budget validation referendum

1. Application. Except as provided in subsection 2, this section applies to a state-approved unit of school administration that is composed of more than one of the following member school administrative units, in any combination:

- A. A municipal school unit;
- B. A school administrative district;
- C. A community school district; and
- D. Any other municipal or quasi-municipal corporation responsible for operating or constructing public schools.

2. Exceptions. This section does not apply to:

- A. A school union that existed prior to July 1, 2008; or
- B. A career and technical region.

3. Budget validation referendum. The annual budget of a state-approved unit of school administration described in subsection 1 does not become final until it has been approved by the governing body of that unit and validated at a budget validation referendum conducted in accordance with this section.

**SENATE AMENDMENT**

SENATE AMENDMENT "C" to S.P. 741, L.D. 1932

1 Every 3 years, the voters in the state-approved unit of school administration described in  
2 subsection 1 shall consider the continued use of the budget validation referendum process  
3 as provided in section 1486.

4 **4. Article.** The article to be voted on at a budget validation referendum held  
5 pursuant to subsection 3 must be in substantially the following form:

6 "Do you favor approving the (name of the state-approved unit of school  
7 administration) budget for the upcoming school year as approved by the (governing  
8 body of the state-approved unit of school administration) and set forth below?

<u>Member</u>	<u>Budget Share</u>
.....	\$.....
.....	\$.....
.....	\$.....
.....	\$.....
.....	\$.....
<u>Total (unit of school administration)</u>	<u>\$.....</u>
<u>Budget</u>	

17 Yes No"

18 The following statement must accompany the article:

19 "Explanation:

20 If this article is approved, each member will be required to pay from its approved  
21 school budget its budget share as shown above to (name of state-approved unit of  
22 school administration)."

23 **5. Procedures.** The budget validation referendum held pursuant to subsection 3  
24 must be conducted in accordance with the following procedures.

25 A. If each school administrative unit that is a member of a state-approved unit of  
26 school administration described in subsection 1 is required to conduct a budget  
27 validation referendum on its annual budget, and if none of the warrants for those  
28 budget validation referenda has been signed at the time that the budget of the unit  
29 described in subsection 1 is approved by its governing body, the article required in  
30 subsection 4 must be included as an additional article at each member's budget  
31 validation referendum. The voting on the budget validation article in each member  
32 school administrative unit is not required to be conducted on the same day. The  
33 return and counting of votes on the budget validation article must be conducted in the  
34 same manner as the procedures of section 1503, subsection 3.

35 B. If a budget validation referendum is not conducted in accordance with paragraph  
36 A, the article required by subsection 4 must be submitted to a budget validation  
37 referendum called by the governing body of the state-approved unit of school  
38 administration described in subsection 1. The budget validation referendum must be  
39 called and conducted in the same manner as the procedures of section 1486,  
40 subsections 2 and 3.

41 **6. Failure to validate budget.** If a majority of the voters in a state-approved unit of  
42 school administration described in subsection 1 does not vote in favor of validating the

# SENATE AMENDMENT

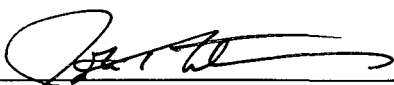
SENATE AMENDMENT "C" to S.P. 741, L.D. 1932

1 budget approved by its governing body at a budget validation referendum, the governing  
2 body of that unit of school administration shall prepare and approve a revised budget at  
3 least 10 days after the budget validation referendum. The revised budget approved by the  
4 governing body must be submitted to the voters for validation at a budget validation  
5 referendum conducted in accordance with this section. The process must be repeated  
6 until a budget is approved by the governing body and validated at referendum. If a  
7 budget is not approved by the governing body and validated at referendum before July 1st  
8 of each year, the latest budget approved by the governing body is automatically  
9 considered the budget for operational expenses for the ensuing year until a final budget is  
10 approved by the governing body and validated at a budget validation referendum.'

11 Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
12 section number to read consecutively.

13 **SUMMARY**

14 This amendment requires that a budget validation referendum be conducted to  
15 approve the budget for a state-approved unit of school administration that is composed of  
16 more than one municipal school unit, school administrative district, community school  
17 district or other municipal or quasi-municipal corporation, or any combination thereof.

18 **SPONSORED BY:**   
19 **(Senator MARTIN)**  
20 **COUNTY: Aroostook**

FISCAL NOTE REQUIRED  
(See Attached)



# 123rd MAINE LEGISLATURE

LD 1932

LR 3324(31)

**An Act To Amend the Laws Regarding School Funding**

**Fiscal Note for Senate Amendment "C"**

**Sponsor: Sen. Martin of Aroostook**

**Fiscal Note Required: Yes**

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## Fiscal Note

No State fiscal impact