

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## SECOND REGULAR SESSION-2008

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Legislative Document

No. 2281

H.P. 1646

House of Representatives, March 26, 2008

### **An Act To Amend the Laws Governing the Reorganization of School Administrative Units**

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Reported by Representative NORTON of Bangor for the Joint Standing Committee on Education and Cultural Affairs pursuant to Public Law 2007, chapter 240, Part XXXX, section 47.

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed under Joint Rule 218.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

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

2 **Sec. 1. 20-A MRSA §1486, sub-§5** is enacted to read:

3 **5. Exception.** A regional school unit in which the school board has approved a  
4 budget that proposes to raise an amount that exceeds the maximum state and local  
5 spending target determined pursuant to section 15671-A, subsection 5 by less than 5% is  
6 exempt from the provisions of this section.

7 **Sec. 2. 20-A MRSA §2307**, as enacted by PL 2007, c. 240, Pt. XXXX, §21, is  
8 amended to read:

9 **§2307. School budgets; exceptions**

10 Notwithstanding any other law, municipal school budgets developed after January 1,  
11 2008 must follow the same school budget requirements as regional school units pursuant  
12 to chapter 103-A. Except as described in subsections 1 and 2, a municipal school unit is  
13 deemed to be a regional school unit solely for the purpose of developing a budget  
14 pursuant to chapter 103-A.

15 **1. Municipal charter; exception.** A municipal school unit in which the  
16 responsibility for the formation and approval of the school budget is vested in the  
17 municipal council or other municipal legislative body by municipal charter is exempt  
18 from the provisions of section 1486.

19 **2. Additional exception.** A municipal school unit in which the school committee  
20 has approved a budget that proposes to raise an amount that exceeds the maximum state  
21 and local spending target determined pursuant to section 15671-A, subsection 5 by less  
22 than 5% is exempt from the provisions of section 1486.

23 **SUMMARY**

24 This bill is introduced by the Joint Standing Committee on Education and Cultural  
25 Affairs pursuant to Public Law 2007, chapter 240, Part XXXX, section 47. The bill  
26 makes the following changes to the laws governing the formation of regional school  
27 units.

28 1. It provides an exemption for those regional school units in which the regional  
29 school unit board has approved a budget that proposes to spend less than 5% above the  
30 level of funding outlined in the essential programs and services funding model from the  
31 budget validation referendum process until the regional school unit board proposes a  
32 budget that meets or exceeds that funding level.

33 2. It provides an exemption for municipal school units from the budget validation  
34 referendum vote in cases in which the municipal charter defines roles and a process for  
35 developing and approving the school budget.

36 3. It provides an exemption for those municipal school units in which the school  
37 committee has approved a budget that proposes to spend less than 5% above the level of

- 1 funding outlined in the essential programs and services funding model from the budget
- 2 validation referendum process until the school committee proposes a budget that meets or
- 3 exceeds that funding level.

**FISCAL NOTE REQUIRED**  
**(See attached)**



Approved: 03/16/08 *mac*

# 123rd MAINE LEGISLATURE

LD 2281 LR 3491(01)

**An Act To Amend the Laws Governing the Reorganization of School Administrative Units**

**Fiscal Note for Original Bill**  
**Committee: Education and Cultural Affairs**  
**Fiscal Note Required: Yes**

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## Fiscal Note

No State fiscal impact

### Fiscal Detail and Notes

Providing an exemption from the budget validation referendum process to those regional school units and municipal school units whose proposed budget does not propose to raise more than 5% of the maximum state and local spending target may result in savings to those units as a result of not having to hold the referendum. However, allowing the exemption from the budget validation referendum process may also result in the local cost of K-12 public education being higher in these regional school units and municipal school units than it would have been had the exemption not been in place. The impact to the individual school units can not be determined at this time.