

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 1283

S.P. 464

In Senate, March 31, 2009

An Act To Reform the School Budget Validation Process

Reference to the Committee on Education and Cultural Affairs 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 WESTON of Waldo.

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

2 **Sec. 1. 20-A MRSA §1485, first ¶**, as enacted by PL 2007, c. 240, Pt. XXXX,
3 §13, is amended to read:

4 After January 31, 2008 2010, the format of the annual budget of a regional school
5 unit must be in accordance with this section.

6 **Sec. 2. 20-A MRSA §1485, sub-§3**, as enacted by PL 2007, c. 240, Pt. XXXX,
7 §13, is amended to read:

8 **3. Budget approval.** A regional school unit's cost center summary budget must be
9 approved ~~at a regional school unit budget meeting and by a budget validation referendum~~
10 ~~as provided in section 1486 pursuant to this subsection.~~

11 A. The regional school unit board shall preliminarily approve the budget received
12 under subsection 2 at a meeting that is open to the public.

13 B. Subsequent to the meeting held under paragraph A, the regional school unit board
14 shall hold a budget meeting open to the public to receive comment on the budget
15 approved in paragraph A and may amend the budget at that meeting by vote of the
16 board.

17 C. At the budget meeting held under paragraph B, the regional school unit board
18 shall approve a final budget that is subject to referendum under section 1486. A final
19 budget must be approved pursuant to this paragraph at least 21 days before a
20 referendum under section 1486.

21 **Sec. 3. 20-A MRSA §1486, first ¶**, as enacted by PL 2007, c. 240, Pt. XXXX,
22 §13, is amended to read:

23 After January 31, 2008, ~~the~~ The procedure for approval of the annual budget of a
24 regional school unit must be in accordance with this section and section 1485.

25 **Sec. 4. 20-A MRSA §1486, sub-§1**, as enacted by PL 2007, c. 240, Pt. XXXX,
26 §13, is amended to read:

27 **1. Budget validation.** Following development of the annual regional school unit
28 budget and approval at a regional school unit budget meeting as provided in section 1485,
29 a referendum must be held in the regional school unit as provided in this section to allow
30 the voters to validate or reject the total budget adopted at the regional school unit budget
31 meeting.

32 ~~Every 3 years, the voters in a regional school unit shall consider continued use of the~~
33 ~~budget validation referendum process. The warrant at the budget validation referendum~~
34 ~~in the 3rd year following adoption or continuation of the referendum process must~~
35 ~~include an article by which the voters of the school administrative district may indicate~~
36 ~~whether they wish to continue the process for another 3 years. A vote to continue retains~~
37 ~~the process for 3 additional years. A vote to discontinue the process ends its use~~

1 ~~beginning with the following budget year and prohibits its reconsideration for at least 3~~
2 ~~years.~~

3 **Sec. 5. 20-A MRSA §1486, sub-§2**, as amended by PL 2007, c. 668, §19, is
4 further amended to read:

5 **2. Validation referendum procedures.** The budget validation referendum must be
6 held on or before the 14th calendar day at the annual meeting under Title 30-A, section
7 2525 of each municipality within the regional school unit or the primary election under
8 Title 21-A, section 339, to be determined by the regional school unit, following the
9 scheduled date of the regional school unit budget meeting. The referendum may not be
10 held on a Saturday, Sunday or legal holiday. For a year in which there is not a primary
11 election, if the regional school unit board has decided to hold the referendum at the
12 primary election, then the referendum must be held on the day that the primary election
13 would be held if the year was a general election year. The vote at referendum is for the
14 purpose of approving or rejecting the total regional school unit budget approved at the
15 regional school unit budget meeting. The regional school unit board shall provide printed
16 information to be displayed at polling places to assist voters in voting. That information
17 is limited to the total amounts proposed by the regional school unit board for each cost
18 center summary budget category article, the amount approved at the regional school unit
19 budget meeting, a summary of the total authorized expenditures and, if applicable
20 because of action on an article under section 15690, subsection 3, paragraph A, a
21 statement that the amount approved at the regional school unit budget meeting includes
22 locally raised funds that exceed the maximum state and local spending target pursuant to
23 section 15671-A, subsection 5.

24 **Sec. 6. 20-A MRSA §1486, sub-§3, ¶F**, as amended by PL 2007, c. 668, §20
25 and c. 695, Pt. G, §1, is repealed and the following enacted in its place:

26 F. Except as provided in paragraph G, the article to be voted on must be in the
27 following form:

28 (1) "Do you approve (name of regional school unit)'s spending \$.....
29 for the upcoming school year as proposed by the regional school unit board? The
30 amount is at or below (name of regional school unit)'s spending target as set by
31 the Essential Programs and Services Funding Act.

32 Yes No

33 A YES vote means you approve of this spending.

34 A NO vote means you do not approve of this spending."

35 **Sec. 7. 20-A MRSA §1486, sub-§3, ¶G**, as repealed by PL 2007, c. 668, §20 and
36 amended by c. 695, Pt. G, §2, is repealed and the following enacted in its place:

37 G. If the school budget exceeds the maximum state and local spending target
38 pursuant to section 15671-A, subsection 5, the article to be voted on must be in the
39 following form:

40 (1) "Do you approve (name of regional school unit)'s spending \$.....
41 for the upcoming school year as proposed by the regional school unit board? The

1 amount is at or below (name of regional school unit)'s spending target as set by
2 the Essential Programs and Services Funding Act.

3 Yes No

4 A YES vote means you approve of this spending.

5 A NO vote means you do not approve of this spending.

6 Do you approve of (name of regional school unit)'s spending an additional
7 \$..... for the upcoming school year, as proposed by the school board?
8 This is the additional amount by which (name of regional school unit)'s budget
9 exceeds its spending target as set by the Essential Programs and Services Funding
10 Act.

11 Yes No

12 A YES vote means you approve of this spending.

13 A NO vote means you do not approve of this spending."

14 **Sec. 8. 20-A MRSA §2307, sub-§1,** as enacted by PL 2007, c. 668, §28 and
15 affected by §55, is amended to read:

16 **1. Budget meeting.** In charter municipalities the budget meeting required by section
17 1485, subsection 3, paragraph B must be a meeting of the municipal council or other
18 municipal legislative body established by the charter with authority to approve the
19 budget.

20 SUMMARY

21 This bill amends the school budget approval process by allowing a budget to be
22 approved at a school board meeting rather than a district-wide meeting, and then go
23 directly to referendum vote. The bill also changes slightly the wording on the required
24 referendum if a school budget exceeds the maximum state and local spending target.