

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)



# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

---

Legislative Document

No. 521

---

S.P. 211

In Senate, February 19, 2013

### **An Act To Change the Budget Approval Process for Alternative Organizational Structures**

---

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator BURNS of Washington.  
Cosponsored by Representative MAKER of Calais and  
Senator: HAMPER of Oxford, Representatives: CRAFTS of Lisbon, FITZPATRICK of  
Houlton, GIFFORD of Lincoln, TURNER of Burlington.

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

2 **Sec. 1. 20-A MRSA §1461-B, sub-§3, ¶D**, as enacted by PL 2011, c. 485, §2, is  
3 amended to read:

4 D. The governing body of an alternative organizational structure, by majority vote,  
5 may authorize a change in the alternative organizational structure budget approval  
6 procedures in paragraph C to require a budget approval by the governing body of the  
7 alternative organizational structure instead of a meeting of the voters of all of the  
8 member entities of the alternative organizational structure. The change in procedure  
9 must be authorized by a majority of the total number of voters of all of the member  
10 entities in the alternative organizational structure at the next statewide election a  
11 special meeting authorized by a majority vote of the governing body of the alternative  
12 organizational structure. The article to be voted ~~upon~~ on at the special meeting must  
13 be in substantially the following form:

14 "Article: Do you favor changing the (name of alternative organizational  
15 structure) budget approval procedure from a meeting of the voters to a vote by  
16 the governing body of the alternative organizational structure?

17 Yes No"

18 If approved by the voters, the budget approval procedure changes to a majority vote  
19 of the governing body of the alternative organizational structure at a budget meeting.  
20 This procedure must remain in effect for at least 3 budget years before the alternative  
21 organizational structure may return to the requirement that a budget be approved at a  
22 meeting of the voters of all of the member entities of the alternative organizational  
23 structure.

24 An article to consider reinstatement of the budget approval procedure in which the  
25 budget is approved at a meeting of the voters of all of the member entities may be  
26 placed on a warrant for referendum vote by either a majority vote of the governing  
27 body of the alternative organizational structure or by a written petition to the  
28 governing body of the alternative organizational structure signed by a number of  
29 voters of member entities of the alternative organizational structure equal to at least  
30 10% of the voters who voted in the last gubernatorial election in the member entities  
31 of the alternative organizational structure. The governing body of the alternative  
32 organizational structure shall place the article on the next scheduled warrant or an  
33 earlier one if determined appropriate by the governing body of the alternative  
34 organizational structure. The article to be voted upon must be in substantially the  
35 following form:

36 "Article: Do you favor changing the (name of alternative organizational  
37 structure) budget approval procedure from a vote by the governing body of the  
38 alternative organizational structure to a meeting of the voters?

39 Yes No"

40 If approved by a majority of the total number of voters of all of the member entities  
41 in the alternative organizational structure, the budget approval procedure changes to a  
42 meeting of the voters of all of the member entities of the alternative organizational

1 structure beginning in the next budget year or the following budget year if the  
2 approval occurs less than 90 days before the start of the next budget year. Once  
3 approved by the voters, this procedure may not be changed for at least 3 budget years.

4 **SUMMARY**

5 This bill changes the school budget approval process for alternative organizational  
6 structures. Current law requires that a change in who approves a budget must be  
7 approved at the next statewide election. The bill requires that such a determination of  
8 who approves a budget must be approved at a special meeting authorized by a majority of  
9 the governing body of the alternative organizational structure rather than at the next  
10 statewide election.