

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 742

S.P. 280

In Senate, February 28, 2013

An Act To Amend the Regional School Unit Budget Validation Process

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 VALENTINO of York.

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

2 **Sec. 1. 20-A MRSA §1486, sub-§4**, as amended by PL 2011, c. 678, Pt. B, §1, is
3 further amended to read:

4 **4. Failure to approve budget.** If the voters do not validate the budget approved in
5 the regional school unit budget meeting at the budget validation referendum vote, the
6 regional school unit board shall hold another regional school unit budget meeting in
7 accordance with this section and section 1485 at least 10 days but no longer than 45 days
8 after the referendum to vote on a budget approved by the regional school unit board. The
9 budget approved at the regional school unit budget meeting must be submitted to the
10 voters for validation at referendum in accordance with this section. ~~The process must be~~
11 ~~repeated until a budget is approved at a regional school unit budget meeting and validated~~
12 ~~at referendum. If a budget is not approved and validated before July 1st of each year,~~
13 ~~section 1487 applies. If the budget approved at the regional school unit budget meeting~~
14 ~~does not gain approval by voters at the budget validation referendum, the process must be~~
15 ~~repeated until a budget is validated at referendum, except that, when a regional school~~
16 ~~unit has conducted a minimum of 2 regional school unit budget meetings and 2 budget~~
17 ~~validation referenda prior to August 30th, the budget approved at the last regional school~~
18 ~~unit budget meeting becomes the budget for the fiscal year. If a regional school unit has~~
19 ~~not conducted 2 such cycles of budget meetings and referenda by August 30th, the~~
20 ~~regional school unit shall conduct 2 complete budget approval cycles, if necessary,~~
21 ~~without a time limit, and, if the regional school unit conducts 2 full cycles of budget~~
22 ~~meetings and referenda and the budget is not validated at referendum, the budget~~
23 ~~approved at the last regional school unit budget meeting becomes the budget for the fiscal~~
24 ~~year.~~

25 **Sec. 2. 20-A MRSA §1487**, as amended by PL 2007, c. 668, §21, is further
26 amended to read:

27 **§1487. Failure to pass budget**

28 If a budget for the operation of a regional school unit is not approved ~~prior to July~~
29 ~~1st, the latest budget approved at a regional school unit budget meeting and submitted to~~
30 ~~the voters for validation at a referendum in accordance with section 1486 is automatically~~
31 ~~considered the budget for operational expenses for the ensuing year until a final budget is~~
32 ~~approved, except that, when the regional school unit board delays the regional school unit~~
33 ~~budget meeting, the operating budget must be approved within 30 days of the date the~~
34 ~~commissioner notifies the regional school unit board of the amount allocated to the~~
35 ~~regional school unit under section 15689-B, or the latest budget submitted by the regional~~
36 ~~school unit board becomes the operating budget for the next school year until a budget is~~
37 ~~approved at a regional school unit budget meeting and validated at a referendum. If the~~
38 ~~budget of a regional school unit is not approved and validated before July 1st and the~~
39 ~~officers of any affected municipality determine that the property taxes must be committed~~
40 ~~in a timely manner to the collector pursuant to Title 36, section 709, the municipal~~
41 ~~assessor or assessors may commit the property taxes on the basis of the latest budget~~
42 ~~approved at a regional school unit budget meeting and submitted to the voters for~~
43 ~~validation at a referendum in accordance with section 1486.~~

1

SUMMARY

2 This bill amends the regional school unit budget validation process. Current law
3 requires that, if the budget is not validated at the budget validation referendum, the
4 process must be repeated until a budget is approved at a regional school unit budget
5 meeting and validated at referendum and, if the budget is not approved and validated
6 before July 1st of each year, then the latest budget approved at a regional school unit
7 budget meeting and submitted to the voters for validation at a referendum in accordance
8 with the Maine Revised Statutes, Title 20-A, section 1486 is automatically considered the
9 budget for the ensuing year until a final budget is approved. This bill requires that, if the
10 budget approved at the regional school unit budget meeting does not gain approval by
11 voters at the budget validation referendum, the process must be repeated until a budget is
12 validated at referendum, except that, when a regional school unit has conducted a
13 minimum of 2 regional school unit budget meetings and 2 budget validation referenda
14 prior to August 30th, the budget approved at the last regional school unit budget meeting
15 becomes the budget for the fiscal year. If a regional school unit has not conducted 2 such
16 cycles of budget meetings and referenda by August 30th, the regional school unit is
17 required to conduct 2 complete budget approval cycles, if necessary, without a time limit,
18 and, if the regional school unit conducts 2 full cycles of budget meetings and referenda
19 and the budget is not validated at referendum, the budget approved at the last regional
20 school unit budget meeting becomes the budget for the fiscal year.