

MAINE STATE LEGISLATURE

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R. & S.

L.D. 783

Date:

6/27/2013

(Filing No. S-342)

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STATE OF MAINE
SENATE
126TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 534,
L.D. 783, Bill, "An Act To Change the Voting Requirements for the Withdrawal of a
Municipality from a Regional School Unit"

Amend the amendment by striking out all of the first indented paragraph after the title
(page 1, line 12 in amendment) and inserting the following:

'Amend the bill by striking out all of sections 1 and 2 and inserting the following:

'Sec. 1. 20-A MRSA §1466, sub-§9, as repealed and replaced by PL 2011, c.
678, Pt. J, §1, is amended to read:

9. Required vote. Before the municipality may withdraw from the regional school
unit, the withdrawal agreement must be approved by a majority vote of those casting
valid votes in the municipality, and the total number of votes cast for and against
withdrawal at the municipal vote must equal or exceed 50% of the total number of votes
cast in the municipality for Governor at the last gubernatorial election.

This subsection is repealed ~~January 1, 2015~~ July 1, 2014.'

Amend the amendment by inserting after section 3 the following:

'Amend the bill by inserting after section 4 the following:

'Sec. 5. 20-A MRSA §1466, sub-§9-C is enacted to read:

9-C. Required vote. Beginning July 1, 2014, before the municipality may withdraw
from the regional school unit, the withdrawal agreement must be approved by a majority
vote of those casting valid votes in the municipality.'

Amend the amendment by striking out all of section 6 and inserting the following:

'Sec. 6. 20-A MRSA §1466, sub-§13, as amended by PL 2013, c. 167, Pt. A, §2,
is further amended to read:

13. Determination of results; execution of agreement. Except for a school
administrative district that was reformulated as a regional school unit pursuant to Public
Law 2007, chapter 240, Part XXXX, section 36, subsection 12, if the commissioner finds
that a majority of the voters voting on the article has voted in the affirmative and the total
number of votes cast for and against the article equal or exceed 50% of the total number

of votes cast in the municipality for Governor at the last gubernatorial election, the commissioner shall notify the municipal officers and the regional school unit board to take steps for the withdrawal in accordance with the terms of the agreement for withdrawal. For a municipality that is part of a school administrative district that was reformulated as a regional school unit pursuant to Public Law 2007, chapter 240, Part XXXX, section 36, subsection 12, if the commissioner finds that at least 2/3 of the votes validly cast in the municipality are in the affirmative, the commissioner shall notify the municipal officers and the regional school unit board to take steps for the withdrawal in accordance with the terms of the agreement for withdrawal.

This subsection is repealed ~~January 1, 2015~~ July 1, 2014.'

Amend the amendment by striking out all of section 8 and inserting the following:

'Sec. 8. 20-A MRSA §1466, sub-§13-B is enacted to read:

13-B. Determination of results; execution of agreement. Beginning July 1, 2014, except for a school administrative district that was reformulated as a regional school unit pursuant to Public Law 2007, chapter 240, Part XXXX, section 36, subsection 12, if the commissioner finds that a majority of the voters voting on the article has voted in the affirmative, the commissioner shall notify the municipal officers and the regional school unit board to take steps for the withdrawal in accordance with the terms of the agreement for withdrawal. For a municipality that is part of a school administrative district that was reformulated as a regional school unit pursuant to Public Law 2007, chapter 240, Part XXXX, section 36, subsection 12, if the commissioner finds that at least 2/3 of the votes validly cast in the municipality are in the affirmative, the commissioner shall notify the municipal officers and the regional school unit board to take steps for the withdrawal in accordance with the terms of the agreement for withdrawal.

Sec. 9. Administrative costs. Notwithstanding any provision of law to the contrary, if a municipality that is a member of a regional school unit withdraws from that regional school unit pursuant to the Maine Revised Statutes, Title 20-A, section 1466, subsection 9, any increase in administrative costs incurred by that municipality as a result of that withdrawal must be borne by that municipality.

Sec. 10. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

School Finance and Operations Z078

Initiative: Provides funds for one Education Specialist III position and related All Other costs to support the anticipated increase in workload associated with the withdrawal process of individual municipalities from regional school units.

GENERAL FUND	2013-14	2014-15
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$87,414
All Other	\$0	\$4,316

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GENERAL FUND TOTAL	\$0	\$91,730
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Amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment incorporates the substance of House Amendment "A" to Committee Amendment "A" (H-561). In addition, this amendment retains until July 1, 2014, the existing law governing the number of votes required to withdraw from a regional school unit. This amendment provides that beginning July 1, 2014 a municipality may withdraw from a regional school unit by majority vote and eliminates the requirement regarding the total number of votes cast. This amendment also replaces the appropriations and allocations section in Committee Amendment "A."

FISCAL NOTE REQUIRED

(See attached)

SPONSORED BY: 

(Senator HILL)

COUNTY: York

**126th MAINE LEGISLATURE****LD 783****LR 125(10)****An Act To Change the Voting Requirements for the Withdrawal of a Municipality from a Regional School Unit****Fiscal Note for Senate Amendment "A" to Committee Amendment "A"****Sponsor: Sen. Hill of York****Fiscal Note Required: Yes**

Fiscal Note

	FY 2013-14	FY 2014-15	Projections FY 2015-16	Projections FY 2016-17
Net Cost (Savings)				
General Fund	(\$178,403)	(\$91,196)	(\$94,031)	\$96,340
Appropriations/Allocations				
General Fund	(\$178,403)	(\$91,196)	(\$94,031)	\$96,340

Fiscal Detail and Notes

This amendment reduces the General Fund appropriations in the bill by \$178,403 in fiscal year 2013-14 and \$91,196 in fiscal year 2014-15 by eliminating funding for one Education Specialist II position and delaying certain provisions of the bill until July 1, 2014, which allows delaying the start date for one Education Specialist III position until July 1, 2014.

As amended, this bill includes a General Fund appropriation of \$91,730 in fiscal year 2014-15 to the School Finance and Operations Program within the Department of Education for one Education Specialist III position and related all other costs to support the anticipated increase in workload associated with the process of municipalities withdrawing from regional school units. This fiscal note assumes that the increased workload will subside after fiscal year 2016-17 and this position will end.