

# MAINE STATE LEGISLATURE

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# 127th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2016

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Legislative Document

No. 1475

S.P. 573

In Senate, December 18, 2015

### **An Act To Facilitate the Use of State Education Subsidies**

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 18, 2015. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator MILLETT of Cumberland.  
Cosponsored by Representative MAKER of Calais and  
Senators: BREEN of Cumberland, DIAMOND of Cumberland, LANGLEY of Hancock,  
LIBBY of Androscoggin, President THIBODEAU of Waldo, Representatives: BATTLE of  
South Portland, HAMANN of South Portland, POULIOT of Augusta.

1           **Emergency preamble. Whereas,** acts and resolves of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3           **Whereas,** the changes made by this legislation could affect budget meetings of  
4 regional school units and town budgets; and

5           **Whereas,** it is necessary that this legislation take effect prior to the expiration of the  
6 90-day period to allow towns to benefit from the legislation during the next annual budget  
7 process; and

8           **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
9 the meaning of the Constitution of Maine and require the following legislation as  
10 immediately necessary for the preservation of the public peace, health and safety; now,  
11 therefore,

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

13           **Sec. 1. 20-A MRSA §1485, sub-§5** is enacted to read:

14           **5. Additional state subsidy.** The warrant presented to the voters at a regional  
15 school unit budget meeting may include an article providing that, in the event that the  
16 regional school unit receives more state education subsidy than the amount included in its  
17 budget, the regional school unit board is authorized to use all or part of the additional  
18 subsidy to increase expenditures for school purposes in cost center categories approved  
19 by the regional school unit board. If that article is approved by the voters at the budget  
20 meeting, the regional school unit board may increase expenditures for school purposes in  
21 cost center categories approved by the regional school unit board as provided in the  
22 article, without holding a special budget meeting and budget validation referendum.

23           **Sec. 2. 20-A MRSA §1486, sub-§2,** as amended by PL 2009, c. 571, Pt. QQQ,  
24 §2, is further amended to read:

25           **2. Validation referendum procedures.** The budget validation referendum must be  
26 held on or before the 30th calendar day following the scheduled date of the regional  
27 school unit budget meeting. The referendum may not be held on a Sunday or legal  
28 holiday. The vote at referendum is for the purpose of approving or rejecting the total  
29 regional school unit budget approved at the regional school unit budget meeting. The  
30 regional school unit board shall provide printed information to be displayed at polling  
31 places to assist voters in voting. That information is limited to the total amounts  
32 proposed by the regional school unit board for each cost center summary budget category  
33 article, the amount approved at the regional school unit budget meeting, a summary of the  
34 total authorized expenditures and, if applicable because of action on an article under  
35 section 15690, subsection 3, paragraph A, a statement that the amount approved at the  
36 regional school unit budget meeting includes locally raised funds that exceed the  
37 maximum state and local spending target pursuant to section 15671-A, subsection 5. If  
38 the voters at the regional school unit budget meeting approve an article providing that, in  
39 the event that the regional school unit receives more state education subsidy than the  
40 amount included in its budget, the regional school unit board may increase expenditures

1 for school purposes in cost center categories approved by the regional school unit board,  
2 the substance of the article must be included in the printed information displayed at  
3 polling places for the budget validation referendum.

4 **Emergency clause.** In view of the emergency cited in the preamble, this  
5 legislation takes effect when approved.

6 **SUMMARY**

7 This bill authorizes a regional school unit to include an article in the warrant for its  
8 annual budget meeting providing that, in the event that the regional school unit receives  
9 more state education subsidy than the amount included in its budget, the regional school  
10 unit board is authorized to increase expenditures for school purposes in cost center  
11 categories approved by the regional school unit board, without a special budget meeting  
12 and budget validation referendum.