

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 1022

H.P. 658

House of Representatives, March 7, 2023

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### **An Act to Allow School Budget Referenda on the Same Day as Primary Elections**

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative ARATA of New Gloucester.  
Cosponsored by Senator KEIM of Oxford and  
Representatives: BRIDGEO of Augusta, CLOUTIER of Lewiston, CYRWAY of Albion,  
DHALAC of South Portland, DRINKWATER of Milford, MURPHY of Scarborough,  
PAULHUS of Bath.

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

2 **Sec. 1. 20-A MRSA §1482-A, first ¶**, as enacted by PL 2007, c. 668, §17, is  
3 amended to read:

4 A Unless preempted by the charter provisions of the regional school unit, beginning  
5 January 1, 2024, participating municipalities in a regional school unit may limit the time  
6 period in which a regional school unit board shall may hold a regional school unit budget  
7 meeting at a time it determines to at least 45 days prior to the date of the statewide primary  
8 or referendum election in June or the 2nd Tuesday in June if a statewide primary or  
9 referendum election is not held in June of that year.

10 **Sec. 2. 20-A MRSA §1486, sub-§2**, as amended by PL 2015, c. 463, §2, is further  
11 amended to read:

12 **2. Validation referendum procedures.** The Beginning January 1, 2024, participating  
13 municipalities in a regional school unit may limit the time period in which a budget  
14 validation referendum must be held on or before the 30th calendar day following the  
15 scheduled date of the regional school unit budget meeting. The referendum may not be  
16 held on a Sunday or legal holiday to the same date as the statewide primary or referendum  
17 election in June or on the 2nd Tuesday in June if a statewide primary or referendum election  
18 is not held in June of that year. The vote at referendum is for the purpose of approving or  
19 rejecting the total regional school unit budget approved at the regional school unit budget  
20 meeting. The regional school unit board shall provide printed information to be displayed  
21 at polling places to assist voters in voting. That information is limited to the total amounts  
22 proposed by the regional school unit board for each cost center summary budget category  
23 article, the amount approved at the regional school unit budget meeting, a summary of the  
24 total authorized expenditures and, if applicable because of action on an article under section  
25 15690, subsection 3, paragraph A, a statement that the amount approved at the regional  
26 school unit budget meeting includes locally raised funds that exceed the maximum state  
27 and local spending target pursuant to section 15671-A, subsection 5. If the legislative body  
28 of the regional school unit at the regional school unit budget meeting approves an article  
29 pursuant to section 1485, subsection 5, the substance of the article must be included in the  
30 printed information displayed at polling places for the budget validation referendum.

31 **Sec. 3. 20-A MRSA §1488**, as enacted by PL 2007, c. 240, Pt. XXXX, §13, is  
32 amended to read:

33 **§1488. Special budget meeting**

34 The regional school unit board may call a special budget meeting when it declares that  
35 an emergency exists. The voters of the regional school unit may authorize the regional  
36 school unit board at a special regional school unit budget meeting to expend additional  
37 funds from the regional school unit's undesignated fund balance or to pledge the credit of  
38 the regional school unit to obtain additional money for the operation of schools. A special  
39 budget meeting held on or after ~~July 1, 2008~~ January 1, 2024 must be conducted in  
40 accordance with sections 1485 and 1486, except that a regional school unit board may call  
41 a special budget meeting at a time it determines and the budget validation referendum must  
42 be no later than the 45th calendar day following the scheduled date of the special budget  
43 meeting. The referendum may not be held on a Sunday or legal holiday.

44 **Sec. 4. Effective date.** This Act takes effect January 1, 2024.

**SUMMARY**

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This bill allows participating municipalities of a regional school unit beginning January 1, 2024 to limit the time period in which a regional school unit budget meeting or referendum may be held to at least 45 days prior to the date of a statewide primary or referendum election in June or the 2nd Tuesday in June if a statewide primary or referendum election is not held in June of that year.