

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 1370

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H.P. 884

House of Representatives, March 28, 2023

### **An Act to Simplify the School Budget Validation Process**

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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 "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative MASTRACCIO of Sanford.  
Cosponsored by Representatives: BRENNAN of Portland, BRIDGEO of Augusta, MILLETT of Cape Elizabeth, MURPHY of Scarborough, SARGENT of York.

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

2 **Sec. 1. 20-A MRSA §1486, sub-§1**, as amended by PL 2011, c. 171, §3, is further  
3 amended to read:

4 **1. Budget validation.** Following development of the annual regional school unit  
5 budget and approval at a regional school unit budget meeting as provided in section 1485,  
6 a referendum must be held in the regional school unit as provided in this section to allow  
7 the voters to validate or reject the total budget adopted at the regional school unit budget  
8 meeting.

9 Every 3 years, the voters in a regional school unit shall consider continued use of the budget  
10 validation referendum process. ~~The warrant at the budget validation referendum in the 3rd~~  
11 ~~year following adoption or continuation of the referendum process must include an article~~  
12 ~~by which the voters of the school administrative unit may indicate whether they wish to~~  
13 ~~continue the process for another 3 years. The warrant for the referendum to validate the~~  
14 ~~fiscal year 2010-11 budget is deemed the 3rd year warrant. The vote on the question of~~  
15 whether to continue the budget validation referendum process must take place on the next  
16 general election date in November of the 3rd year following the previous vote on that  
17 question. A vote to continue retains the process for 3 additional years. A vote to  
18 discontinue the process ends its use beginning with the following budget year and prohibits  
19 its reconsideration for at least 3 years.

20 An article to consider reinstatement of the budget validation referendum process may be  
21 placed on a warrant for a referendum vote by either a majority vote of the regional school  
22 unit board or a written petition filed with the regional school unit board by at least 40%  
23 25% of the number of voters voting in the last gubernatorial election in the municipalities  
24 in the school administrative unit. ~~The regional school unit board shall place the article on~~  
25 ~~the next scheduled warrant or an earlier one if determined appropriate by the regional~~  
26 ~~school unit board. The regional school unit board shall place the article on the ballot of the~~  
27 next general election date in November. If adopted by the voters, the budget validation  
28 referendum process takes effect beginning in the next budget year or the following budget  
29 year if the adoption occurs less than 90 days before the start of the next budget year. Once  
30 approved by the voters, the budget validation referendum process may not be changed for  
31 3 years.

32 **Sec. 2. 20-A MRSA §1486, sub-§3, ¶H** is enacted to read:

33 H. A vote on a budget validation referendum may not be considered valid unless the  
34 number of voters voting on the referendum is equal to or greater than 25% of the total  
35 number of voters who voted in the last gubernatorial election in the area covered by  
36 the regional school unit seeking the budget validation. If the number of voters voting  
37 on the referendum is less than 25% of the total number of voters who voted in the last  
38 gubernatorial election in the area covered by the regional school unit seeking the budget  
39 validation, the budget is considered to be approved.

40 **SUMMARY**

41 This bill requires that a vote on the question of whether or not to continue an annual  
42 regional school unit budget validation referendum process take place on the next general  
43 election date in November of the 3rd year following the previous vote on that question.

1 The bill raises the number of voters required on a petition for an article to consider  
2 reinstatement of a budget validation referendum process from 10% to 25% of the number  
3 of voters voting in the last gubernatorial election in the municipalities in the school  
4 administrative unit and requires that the regional school unit board place the article on the  
5 ballot of the next general election date in November following the applicable regional  
6 school unit board vote or petition. A vote on a budget validation referendum may not be  
7 considered valid unless the number of voters voting on the referendum is equal to or greater  
8 than 25% of the total number of voters who voted in the last gubernatorial election in the  
9 area covered by the regional school unit seeking the budget validation. If the number of  
10 voters voting on the referendum is less than 25%, the budget is considered to be approved.