

MAINE STATE LEGISLATURE

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L D 1748

Date 6/20/23 Majority

(Filing No H-638)

EDUCATION AND CULTURAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H P 1127, L D 1748, "An Act to Reform the School Budget Referendum Process by Limiting the Circumstances in Which Referenda Occur"

Amend the bill by striking out the title and substituting the following

'An Act to Reform the School Budget Referendum Process by Limiting the Circumstances in Which Certain Referenda Occur'

Amend the bill by striking out everything after the enacting clause and inserting the following

'Sec. 1. 20-A MRS A §1486, sub-§1-A is enacted to read

1-A. Single municipalities. Notwithstanding subsection 1, in the case of a regional school unit under this section that is composed of a single municipality, beginning after the approval and validation of a regional school unit's 2024-2025 school year budget, the regional school unit is not required to hold a budget validation referendum. A regional school unit may reinstate the budget validation referendum process in accordance with this subsection.

A. The regional school unit may reinstate the budget validation referendum process by a majority vote on a referendum question placed on the ballot in a general election pursuant to local referendum procedures as provided in Title 30-A, chapter 121 or in a municipal charter.

B. If the referendum question in paragraph A is adopted by the voters in the municipality, the regional school unit shall follow the budget validation referendum procedures as provided in this section and in section 1487 beginning in the next budget year.

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

4. Failure to approve budget. If the voters do not validate the budget approved in the regional school unit budget meeting at the budget validation referendum vote, the

COMMITTEE AMENDMENT

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1 regional school unit board shall hold another regional school unit budget meeting in
2 accordance with this section and section 1485 at least 10 days but no longer than 45 days
3 after the referendum to vote on a budget approved by the regional school unit board The
4 budget approved at the regional school unit budget meeting must be submitted to the voters
5 for validation at referendum if required in accordance with this section The process must
6 be repeated until a budget is approved ~~at a regional school unit budget meeting and~~
7 ~~validated at referendum~~ in accordance with this section and section 1485 If a budget is not
8 approved ~~and validated~~ before July 1st of each year, section 1487 applies

9 **Sec. 3. 20-A MRSA §1487**, as amended by PL 2007, c 668, §21, is further amended
10 to read

11 **§1487. Failure to pass budget**

12 If a budget for the operation of a regional school unit is not approved prior to July 1st,
13 the latest budget approved ~~at a regional school unit budget meeting and submitted to the~~
14 ~~voters for validation at a referendum~~ in accordance with ~~section~~ sections 1485 and 1486 is
15 automatically considered the budget for operational expenses for the ensuing year until a
16 final budget is approved, except that, when the regional school unit board delays the
17 regional school unit budget meeting, the operating budget must be approved within 30 days
18 of the date the commissioner notifies the regional school unit board of the amount allocated
19 to the regional school unit under section 15689-B, or the latest budget submitted by the
20 regional school unit board becomes the operating budget for the next school year until a
21 budget is approved ~~at a regional school unit budget meeting and validated at a referendum~~
22 in accordance with sections 1485 and 1486 If the budget of a regional school unit is not
23 approved ~~and validated~~ in accordance with sections 1485 and 1486 before July 1st and the
24 officers of any affected municipality determine that the property taxes must be committed
25 in a timely manner to the collector pursuant to Title 36, section 709, the municipal assessor
26 or assessors may commit the property taxes on the basis of the latest budget approved ~~at a~~
27 ~~regional school unit budget meeting and submitted to the voters for validation at a~~
28 ~~referendum~~ in accordance with ~~section~~ sections 1485 and 1486

29 **Sec. 4. Notification.** By January 1, 2024, the Commissioner of Education shall
30 notify the superintendent of each regional school unit in the State of the requirements
31 provided in the Maine Revised Statutes, Title 20-A, section 1486, subsection 1-A '

32 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
33 number to read consecutively

34 **SUMMARY**

35 This amendment replaces the bill and changes the title The amendment provides that,
36 for the purposes of budget approval and validation, a regional school unit that is composed
37 of a single municipality is not required to hold a budget validation referendum after the
38 validation of the 2024-2025 school year budget The amendment provides that a regional
39 school unit composed of a single municipality may reinstate the budget validation
40 referendum process with a majority vote on a referendum question placed on the ballot in

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1 a general election and requires the Commissioner of Education to notify the superintendent
2 of each regional school unit in the State of this process by January 1, 2024

3

FISCAL NOTE REQUIRED

4

(See attached)

COMMITTEE AMENDMENT



Approved 06/05/23 *mac*

131st MAINE LEGISLATURE

LD 1748

LR 1288(02)

An Act to Reform the School Budget Referendum Process by Limiting the Circumstances in Which Referenda Occur

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

A (H-638)

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the Department of Education to implement the requirements of this legislation can be absorbed within existing budgeted resources