

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE

One Hundred and Seventh Legislature

AT THE

1ST SPECIAL SESSION

JANUARY 19, 1976 TO APRIL 29, 1976

AND

2ND SPECIAL SESSION

JUNE 14, 1976

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN  
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TITLE 3, SECTION 164, SUBSECTION 6.

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
One Hundred and Seventh Legislature  
AT THE FIRST SPECIAL SESSION  
January 19, 1976 to April 29, 1976  
AND THE SECOND SPECIAL SESSION  
June 14, 1976

Supplementary to the Acts and Resolves of the Regular Session

[supplied from page 3097 of volume]

the establishment of such nonprofit food services to be not later than September, ~~1978~~ 1980, whenever such school demonstrates that it will be unable to participate in the National School Lunch Program by September, 1974, and that the postponement would be otherwise in the public interest.

Effective July 29, 1976

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## CHAPTER 738

### AN ACT to Provide for a Line Budget Procedure for All School Systems.

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

Sec. 1. 20 MRSA § 226, sub-§ 3, as last amended by PL 1975, c. 623, § 20, is further amended by adding at the end the following new paragraph:

The format of the school budget may be determined by the voters of a school district by adoption of an appropriate warrant article at a properly called school district meeting or under the procedures prescribed in section 225, subsection 2, paragraphs A to E. Such an article may be placed upon the next warrant issued or ballot printed by a majority vote of the school district directors or on the written petition of a number of voters equal to at least 10% of the number of votes cast in the last gubernatorial election in each municipality comprising the district. The budget format shall be that prescribed by a majority of the school directors until such time as 20% of the numbers of registered voters certified by the several town or city clerks to the secretary of the school district vote on an appropriate warrant article prescribing the school budget format. Any change in budget format shall be voted at least 90 days prior to the budget year for which such change is to be effective. If it is voted to have the school budget prepared by specific line categories, each category shall be included in a separate warrant article. Unless voted otherwise, the school directors shall not have the authority to transfer funds between line item categories without approval of the voters of the district. To summarize the action taken on the school budget for the purposes of determining state and local cost sharing, the articles prescribed in chapter 512-A shall also be voted upon.

Sec. 2. 20 MRSA § 362, as last amended by PL 1975, c. 510, § 19, is further amended by adding at the end the following new paragraph:

The format of the school budget may be determined by the voters of a community school district by adoption of an appropriate warrant article at a properly called meeting. Such an article may be placed upon the next warrant issued by a majority vote of the school committee and the board of trustees or on the written petition of a number of voters equal to at least 10% of the number of votes cast in the last gubernatorial election in each municipality comprising the district. The budget format shall be that prescribed by a majority of the school directors until such time as 20% of the number of registered voters certified by the several town or city clerks to the

secretary of the school district vote on an appropriate warrant article prescribing the school budget format. Any change in budget format shall be voted at least 90 days prior to the budget year for which such change is to be effective. If it is voted to have the school budget prepared by specific line categories, each category shall be included in a separate warrant article. Unless voted otherwise, the school committee shall not have the authority to transfer funds between line item categories without approval of the voters of the district. To summarize the action taken on the school budget for the purposes of determining state and local cost sharing, the articles prescribed in chapter 512-A shall also be voted upon.

Sec. 3. 20 MRSA § 3752 is enacted to read:

§ 3752. School budgets

The format of the school budget may be determined in accordance with section 226, subsection 3 or section 362.

In a town or city where the responsibility for final adoption of the school budget is vested by municipal charter in a town or city council, the school budget format may be changed through amendment of the charter under the home rule procedures prescribed in Title 30, sections 1911 to 1920.

Where the final budget authority is vested in a town meeting operating under the general enabling procedures of Title 30, the format of the school budget may be determined by the town meeting or under the procedures prescribed in Title 30, section 2053 or 2061.

Where community school district trustees are responsible for final adoption of a school budget, the school budget format may be determined by a warrant issued by the school district trustees specifying that the municipal officers of the municipalities within the community school district shall place the article on a secret ballot to be voted on at an election conducted in accordance with Title 30, sections 2061 to 2065. It shall be the duty of the board of trustees to prepare and furnish the required number of ballots for carrying out the election, including absentee ballots. An article specifying the budget format may be placed upon the next warrant issued or ballot printed by a majority of the board of trustees or on the written petition of 10% of the number of votes cast in the last gubernatorial election in each municipality comprising the district.

Any change in budget format shall be voted upon at least 90 days prior to the budget year for which such change is to be effective.

The budget format shall be that prescribed by a majority vote of the school directors or school committee until such time as 20% of the registered voters vote on an appropriate warrant article prescribing the school budget format.

To summarize the action taken on the school budget, for purposes of determining state and local cost sharing, the articles prescribed in chapter 512-A shall also be voted upon.

Notwithstanding any other provisions of public or private statutes, a special budget meeting to reconsider the actions taken by the legislative body responsible for budget adoption in any administrative unit or to consider additional appropriations may be called under the following conditions and by following the procedures set forth below.

1. Reconsideration or additional appropriations. Meetings to reconsider action or to ask for additional appropriations must be called within 30 days of the regular budget meeting.

2. Special budget meeting. A special budget meeting may be called by the board of directors in a School Administrative District or by the board of trustees in a community school district.

3. Procedure for calling a special budget meeting. A special budget meeting must be called, within 15 days, by the board of directors in a School Administrative District or the board of trustees in community school districts whenever 10% of the voters voting in the last gubernatorial election in the member towns of the district have signed a petition for such a meeting specifying the article or articles to be acted upon at the special budget meeting.

4. Who may call a special budget meeting. A special budget meeting may be called by the school committee in a municipality which is responsible for the operation of its schools or may be called by using the petition procedures set forth in Title 30.

5. Invalidation of actions of a special budget meeting. Whenever a special budget meeting is called to reconsider action taken at a regular budget meeting or to consider additional appropriations, the actions of the meeting shall be invalid if the recorded vote is less than the vote recorded at the regular budget meeting on the appropriation articles.

6. Recording of "yes" or "no" votes. The moderators of each regular or special meeting where appropriations are approved shall require the clerk or secretary to record the number of "yes" votes and the number of "no" votes on each article considered at the meeting.

7. Municipalities. In municipalities where the council approves the school budget, reconsideration or additional appropriations may be initiated using the same procedures as outlined above. Council action shall be governed by the rules set forth in the charter.

8. Line item transfers. Meetings required by school committees or school directors for the purpose of transferring funds from one category or line item to another must be posted for voter or Council action within 15 days of the date of the request.

Sec. 4. Effective date. This Act shall become effective September 1, 1976.

Effective September 1, 1976

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## CHAPTER 739

### AN ACT to Improve Solid Waste Management.

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