

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
119TH LEGISLATURE**

**SECOND REGULAR SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
EDUCATION AND CULTURAL AFFAIRS**

**JULY 2000**

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*Sen. Robert E. Murray, Jr.*

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**ONE HUNDRED NINETEENTH LEGISLATURE**  
**SECOND REGULAR SESSION**

**Summary Of Legislation Before The Joint Standing Committees**  
**July 2000**

We are pleased to provide this summary of bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing and select committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla](http://www.state.me.us/legis/opla)).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

CON RES XXX..... Chapter # of Constitutional Resolution passed by both Houses  
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; bill died  
DIED BETWEEN BODIES..... House & Senate disagree; bill died  
DIED IN CONCURRENCE..... One body accepts ONTP report; the other indefinitely postpones the bill  
DIED ON ADJOURNMENT..... Action incomplete when session ended; bill died  
EMERGENCY..... Enacted law takes effect sooner than 90 days  
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE..... Emergency bill failed to get 2/3 vote  
FAILED ENACTMENT/FINAL PASSAGE..... Bill failed to get majority vote  
FAILED MANDATE ENACTMENT..... Bill imposing local mandate failed to get 2/3 vote  
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died  
INDEF PP..... Bill Indefinitely Postponed  
ONTP..... Ought Not To Pass report accepted  
OTP ND..... Committee report Ought To Pass In New Draft  
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title  
P&S XXX..... Chapter # of enacted Private & Special Law  
PUBLIC XXX..... Chapter # of enacted Public Law  
RESOLVE XXX..... Chapter # of finally passed Resolve  
UNSIGNED..... Bill held by Governor  
VETO SUSTAINED..... Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

*David E. Boulter, Director*  
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education, peer mediation and early identification and response to signs of violence. The law also provides a one-time appropriation of \$50,000 to establish a grant program to be administered by the Department of Education to support the establishment of conflict resolution and peer mediation programs in schools.

**LD 1346**

**An Act to Improve the School Administrative District and Community School District Budget Development and Approval Process**

**PUBLIC 710**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROOKS	OTP-AM MAJ ONTP MIN	H-1079

LD 1346 which proposed to amend the School Administrative District (SAD) budget approval process was carried over from the First Regular Session. Under current law, when the voters in a SAD that uses the alternative budget approval process fail to adopt their budget by referendum, the board of directors of the SAD can exercise an option to bring the budget to a 2nd or subsequent vote at an open meeting rather than by referendum. LD 1346 proposed that, in those situations, school budgets must be adopted by referendum. The bill also proposed that an SAD budget proposal submitted a 3rd time may not be greater than the previous school year's budget plus an increase adjusted for the Consumer Price Index. For a budget submitted more than 3 times, the budget proposal submitted to referendum must be lower than the proposal made at the previous referendum.

**Committee Amendment "A" (H-1079)** is the majority report of the committee and replaced the bill. The amendment proposed an optional new school budget cost center format and budget approval process for use by school administrative districts and community school districts. The new options replace format and approval options that are available under current law and that will no longer be available for adoption, but, if in place, may continue to be used. No district will be required to adopt either the new format or the budget approval process. However, after the effective date of this Act, if a district wishes to change the format or process it currently uses, the new options will be the only alternatives available. Both the budget format and the budget approval process may be adopted by the voters of the district at referendum. In certain circumstances, the new format may also be adopted by the local school board on its own initiative. The cost center summary budget format may be adopted separately or the new format and the approval process may be adopted together to complement each other.

The new optional budget format consists of 6 standard expenditure areas and 3 standard revenue areas, each with accompanying plain language explanations. There is also an overall summary expenditure item. The 9 cost centers and summary under the new budget format form the basis for the budget warrant articles that are submitted to district voters for approval annually. The amendment authorizes school boards to transfer up to 5% of the school budget between budget cost centers without voter approval.

The new optional budget approval process allows district voters to add a 2nd step to the process for finalization of the school budget. If the new process is adopted by voters, after initial approval of the district budget at a district budget meeting, the total budget approved must be submitted to the voters of the district for final validation at a district referendum within 3 days of the district budget meeting. If the voters reject the budget at referendum, another budget must be considered at a district budget meeting at least 10 days after the referendum. The budget adopted at the subsequent district budget meeting must then be submitted to the voters for validation in a separate referendum vote. The process is

repeated until a final budget is approved at a district budget meeting and validated at referendum.

The amendment proposed that the State Board of Education develop a model comprehensive school budget approval procedure that maximizes local collaboration among school officials, municipal officers and the public in developing and approving school budgets and encourages school administrative units to adopt the procedure as local school policy. The amendment also proposed that the state board study the new budget format and approval process and report back to the joint standing committee of the Legislature having jurisdiction over education matters by January 31, 2004. In the interim, the amendment directed the Department of Education to monitor the impact of the new law and to report annually to the committee on its effect, and the Department of Education and the State Board of Education are charged with the responsibility of developing a system to provide assistance to school administrative units wishing or attempting to implement the law.

### ***Enacted law summary***

Public Law 1999, chapter 710 establishes an optional new school budget format and budget approval process for use by school administrative districts and community school districts. The new options replace format and approval options that are available under current law and that will no longer be available for adoption, but, if in place, may continue to be used. No district will be required to adopt either the new cost center summary budget format or budget validation referendum approval process. However, after the effective date of this Act, if a district wishes to change the format or process it currently uses, the new options will be the only alternatives available. Both the budget format and the budget referendum approval process may be adopted by the voters of the district at referendum. In certain circumstances, the new format may also be adopted by the local school board on its own initiative. The cost center summary budget format may be adopted separately or the new format and the referendum approval process may be adopted together to complement each other.

The new optional budget format presents budgeted expenditures in 6 standard areas and budgeted revenues in 3 standard areas, each with accompanying plain language explanations. There is also an overall summary expenditure item and explanation. The 9 cost centers and summary under the new budget format form the basis for the budget warrant articles that are submitted to district voters for approval annually. The amendment authorizes school boards to transfer up to 5% of the school budget between budget cost centers without voter approval.

The new optional budget approval process allows district voters to add a second step to the process for finalization of the school budget. If the new process is adopted by voters, after initial approval of the district budget at a district budget meeting, the total budget approved must be submitted to the voters of the district for final validation at a district referendum within 3 days of the district budget meeting. If the voters reject the budget at referendum, another budget must be considered at a district budget meeting at least 10 days after the referendum. The budget adopted at the subsequent district budget meeting must then be submitted to the voters for validation in a separate referendum vote within 3 days of the second approval. The process is repeated until a final budget is approved at a district budget meeting and validated at referendum.

The State Board of Education is directed to develop a model comprehensive school budget approval procedure that maximizes local collaboration among school officials, municipal officers and the public in developing and approving school budgets and encourages school administrative units to adopt the procedure as local school policy. The state board is also required to study the new cost center summary budget format and budget validation referendum process and to report back to the joint standing committee

