



124th MAINE LEGISLATURE

SECOND REGULAR SESSION-2010

Legislative Document

No. 1739

H.P. 1236

House of Representatives, January 14, 2010

**An Act To Remove the Requirement That the Annual Budget of a
Regional School Unit Must Be Approved at a Budget Validation
Referendum**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative McFADDEN of Dennysville.
Cosponsored by Senator SHERMAN of Aroostook and
Representatives: AYOTTE of Caswell, BURNS of Whiting, EATON of Sullivan,
EDGECOMB of Caribou, JOHNSON of Greenville, PINKHAM of Lexington Township,
SCHATZ of Blue Hill.

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

2 **Sec. 1. 20-A MRSA §1305-C**, as amended by PL 2007, c. 668, §2 and affected by
3 §55, is further amended to read:

4 **§1305-C. Cost center summary budget form**

5 Notwithstanding any other law, school administrative district budgets developed after
6 January 1, 2008 must conform to the format ~~and referendum~~ procedures for regional
7 school units as set forth in ~~sections~~ section 1485 ~~and 1486~~. A school administrative
8 district is deemed to be a regional school unit solely for the purpose of developing a
9 budget pursuant to ~~sections~~ section 1485 ~~and 1486~~.

10 **Sec. 2. 20-A MRSA §1478, sub-§3**, as enacted by PL 2007, c. 668, §10, is
11 amended to read:

12 **3. Budget responsibility.** A reorganization plan that has been approved in
13 accordance with subchapter 2 or a regional school unit board may authorize a local school
14 committee to present to the board a proposed budget for the local school in a form that is
15 consistent with section 1485. The proposed local school budget must be submitted in
16 time to be included in the budget for the regional school unit. Proposed expenditures that
17 are not included in the regional school unit budget may be separately appropriated by the
18 municipality to be expended by the regional school unit in accordance with the
19 appropriation. ~~Supplemental municipal appropriations for education are not subject to~~
20 ~~section 1486.~~

21 **Sec. 3. 20-A MRSA §1485, sub-§3**, as enacted by PL 2007, c. 240, Pt. XXXX,
22 §13, is amended to read:

23 **3. Budget approval.** A regional school unit's cost center summary budget must be
24 approved at a regional school unit budget meeting ~~and by a budget validation referendum~~
25 ~~as provided in section 1486.~~

26 **Sec. 4. 20-A MRSA §1486**, as amended by PL 2009, c. 98, §1 and c. 415, Pt. B,
27 §§7 and 8, is repealed.

28 **Sec. 5. 20-A MRSA §1487**, as amended by PL 2007, c. 668, §21, is further
29 amended to read:

30 **§1487. Failure to pass budget**

31 If a budget for the operation of a regional school unit is not approved prior to July
32 1st, the latest budget approved at a regional school unit budget meeting ~~and submitted to~~
33 ~~the voters for validation at a referendum in accordance with section 1486~~ is automatically
34 considered the budget for operational expenses for the ensuing year until a final budget is
35 approved, except that, when the regional school unit board delays the regional school unit
36 budget meeting, the operating budget must be approved within 30 days of the date the
37 commissioner notifies the regional school unit board of the amount allocated to the
38 regional school unit under section 15689-B, or the latest budget submitted by the regional

1 school unit board becomes the operating budget for the next school year until a budget is
2 approved at a regional school unit budget meeting ~~and validated at a referendum~~. If the
3 budget of a regional school unit is not approved ~~and validated~~ before July 1st and the
4 officers of any affected municipality determine that the property taxes must be committed
5 in a timely manner to the collector pursuant to Title 36, section 709, the municipal
6 assessor or assessors may commit the property taxes on the basis of the latest budget
7 approved at a regional school unit budget meeting ~~and submitted to the voters for~~
8 ~~validation at a referendum in accordance with section 1486.~~

9 **Sec. 6. 20-A MRSA §1488**, as enacted by PL 2007, c. 240, Pt. XXXX, §13, is
10 amended to read:

11 **§1488. Special budget meeting**

12 The regional school unit board may call a special budget meeting when it declares
13 that an emergency exists. The voters of the regional school unit may authorize the
14 regional school unit board at a special regional school unit budget meeting to expend
15 additional funds from the regional school unit's undesignated fund balance or to pledge
16 the credit of the regional school unit to obtain additional money for the operation of
17 schools. A special budget meeting held on or after July 1, 2008 must be conducted in
18 accordance with ~~sections~~ section 1485 ~~and 1486~~.

19 **Sec. 7. 20-A MRSA §1701-C**, as amended by PL 2007, c. 668, §26 and affected
20 by §55, is further amended to read:

21 **§1701-C. Cost center summary budget form**

22 Notwithstanding any other law, community school district budgets developed after
23 January 1, 2008 must conform to the format ~~and referendum~~ procedures for regional
24 school units as set forth in ~~sections~~ section 1485 ~~and 1486~~. A community school district
25 is deemed to be a regional school unit solely for the purpose of developing a budget
26 pursuant to ~~sections~~ section 1485 ~~and 1486~~.

27 **SUMMARY**

28 This bill removes the requirement that a referendum must be held in a regional school
29 unit to allow the voters to validate or reject the total budget adopted at the regional school
30 unit budget meeting.