

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the amendment in Part A by inserting after section 2 the following:

‘**Sec. A-3. 20-A MRSA §1461, sub-§8** is enacted to read:

8. Termination of reorganization planning process. If at any time the representatives of a school administrative unit participating on a reorganization planning committee determine by majority vote of those representatives that it is not in the best interests of that school administrative unit to continue the reorganization planning process, they may notify the reorganization planning committee and the governing body of the school administrative unit and request that the governing body of the school administrative unit conduct a public hearing on whether or not the school administrative unit should continue to participate in the reorganization planning process. Following such a request, the governing body of the school administrative unit shall conduct a public hearing on the issue. Following the public hearing, the governing body of the school administrative unit or, in the case of a municipal school unit, the municipal officers may place a warrant article substantially as follows on the ballot of a referendum in accordance with the referendum procedures applicable to that school administrative unit:

"Article: Do you favor (insert name of school administrative unit) opting out of the school reorganization planning process with (insert names of other school administrative units) and remaining as a (insert type of school administrative unit)?

Yes No"

The school administrative unit shall report the results of the referendum to the reorganization planning committee and the department following the referendum election. If a majority at the referendum votes in favor of opting out of the school reorganization planning process, that school administrative unit may not participate further in the school reorganization planning process.’

Amend the amendment by inserting after section 12 the following:

‘**Sec. 13. PL 2007, c. 240, Pt. XXXX, §36, sub-§13** is enacted to read:

13. Termination of reorganization planning process. Notwithstanding any other provision of this Part, if at any time the representatives of a school administrative unit participating on a reorganization planning committee determine by majority vote of those representatives that it is not in the best interests of that school administrative unit to continue the reorganization planning process, they may notify the reorganization planning committee and the governing body of the school administrative unit and request that the governing body of the school administrative unit conduct a public hearing on whether or not the school administrative unit should continue to participate in the reorganization planning process. Following such a request, the governing body of the school administrative unit shall conduct a public hearing on the issue. Following the public hearing, the governing body of the school administrative unit or, in the case of a municipal school unit, the municipal officers may place a warrant article substantially as follows on the ballot of a referendum in accordance with the referendum procedures applicable to that school administrative unit:

"Article: Do you favor (insert name of school administrative unit) opting out of the school reorganization planning process with (insert names of other school administrative units) and remaining as a (insert type of school administrative unit)?"

Yes/No"

The school administrative unit shall report the results of the referendum to the reorganization planning committee and the department following the referendum election. If a majority at the referendum votes in favor of opting out of the school reorganization planning process, that school administrative unit may not participate further in the school reorganization planning process.'

Amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment establishes a procedure by which a school administrative unit may withdraw from the school reorganization planning process. The procedure requires a majority vote of the representatives of a school administrative unit on a reorganization planning committee followed by a public hearing and a referendum vote of the school administrative unit on the question of whether the school administrative unit should opt out of the school reorganization planning process.

FISCAL NOTE REQUIRED
(See attached)