

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

Amend the bill by inserting after section 4 the following:

‘**Sec. 5. 20-A MRSA c. 112** is enacted to read:

## **CHAPTER 112**

### **BUDGET VALIDATION REFERENDUM**

#### **§ 2401. Budget validation referendum**

**1. Application.** Except as provided in subsection 2, this section applies to a state-approved unit of school administration that is composed of more than one of the following member school administrative units, in any combination:

- A. A municipal school unit;
- B. A school administrative district;
- C. A community school district; and
- D. Any other municipal or quasi-municipal corporation responsible for operating or constructing public schools.

**2. Exceptions.** This section does not apply to:

- A. A school union that existed prior to July 1, 2008; or
- B. A career and technical region.

**3. Budget validation referendum.** The annual budget of a state-approved unit of school administration described in subsection 1 does not become final until it has been approved by the governing body of that unit and validated at a budget validation referendum conducted in accordance with this section.

Every 3 years, the voters in the state-approved unit of school administration described in subsection 1 shall consider the continued use of the budget validation referendum process as provided in section 1486.

**4. Article.** The article to be voted on at a budget validation referendum held pursuant to subsection 3 must be in substantially the following form:

"Do you favor approving the (name of the state-approved unit of school administration) budget for the upcoming school year as approved by the (governing body of the state-approved unit of school administration) and set forth below?"

<u>Member</u>	<u>Budget Share</u>
.....	\$.....
.....	\$.....
.....	\$.....
.....	\$.....
.....	\$.....
<u>Total (unit of school administration) Budget</u>	<u>\$.....</u>

Yes No"

The following statement must accompany the article:

"Explanation:

If this article is approved, each member will be required to pay from its approved school budget its budget share as shown above to (name of state-approved unit of school administration)."

**5. Procedures.** The budget validation referendum held pursuant to subsection 3 must be conducted in accordance with the following procedures.

A. If each school administrative unit that is a member of a state-approved unit of school administration described in subsection 1 is required to conduct a budget validation referendum on its annual budget, and if none of the warrants for those budget validation referenda has been signed at the time that the budget of the unit described in subsection 1 is approved by its governing body, the article required in subsection 4 must be included as an additional article at each member's budget validation referendum. The voting on the budget validation article in each member school administrative unit is not required to be conducted on the same day. The return and counting of votes on the budget validation article must be conducted in the same manner as the procedures of section 1503, subsection 3.

B. If a budget validation referendum is not conducted in accordance with paragraph A, the article required by subsection 4 must be submitted to a budget validation referendum called by the governing body of the state-approved unit of school administration described in subsection 1. The budget validation referendum must be called and conducted in the same manner as the procedures of section 1486, subsections 2 and 3.

**6. Failure to validate budget.** If a majority of the voters in a state-approved unit of school administration described in subsection 1 does not vote in favor of validating the budget approved by its governing body at a budget validation referendum, the governing body of that unit of school administration shall prepare and approve a revised budget at least 10 days after the budget validation referendum. The revised budget approved by the governing body must be submitted to the voters for validation at a budget validation referendum conducted in accordance with this section. The process must be repeated until a budget is approved by the governing body and validated at referendum. If a budget is not approved by the governing body and validated at referendum before July 1st of each year, the latest

budget approved by the governing body is automatically considered the budget for operational expenses for the ensuing year until a final budget is approved by the governing body and validated at a budget validation referendum.'

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

### **SUMMARY**

This amendment requires that a budget validation referendum be conducted to approve the budget for a state-approved unit of school administration that is composed of more than one municipal school unit, school administrative district, community school district or other municipal or quasi-municipal corporation, or any combination thereof.