



# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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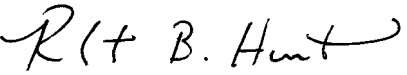
H.P. 1037

House of Representatives, April 10, 2025

### An Act to Abolish School Budget Referenda

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

  
ROBERT B. HUNT  
Clerk

Presented by Representative ABDI of Lewiston.

Cosponsored by Representatives: CLOUTIER of Lewiston, LAJOIE of Lewiston, MCCABE of Lewiston, MURPHY of Scarborough, SALISBURY of Westbrook.

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. Mandatory ~~budget validation and 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 school  
7 units as set forth in ~~sections~~ section 1485 ~~and 1486~~. A school administrative district is  
8 deemed to be a regional school unit solely for the purpose of developing a budget pursuant  
9 to ~~sections~~ section 1485 ~~and 1486~~.

10 **Sec. 2. 20-A MRSA §1461-B, sub-§3, ¶C**, as amended by PL 2011, c. 485, §1, is  
11 further amended to read:

12 C. The budget procedures of member entities of an alternative organizational structure  
13 must conform to the format ~~and referendum procedures~~ set forth in ~~sections~~ section  
14 1485 ~~and 1486~~ for regional school units. The budget of the alternative organizational  
15 structure must be approved at a meeting of the voters of all of the member entities  
16 conducted in accordance with the procedures applicable to a regional school unit  
17 budget meeting except as provided in paragraph D. ~~The budget of an alternative~~  
18 ~~organizational structure is not subject to a separate budget validation referendum as~~  
19 ~~described in section 1486.~~

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

22 **3. Budget responsibility.** A reorganization plan that has been approved in accordance  
23 with subchapter 2 or a regional school unit board may authorize a local school committee  
24 to present to the board a proposed budget for the local school in a form that is consistent  
25 with section 1485. The proposed local school budget must be submitted in time to be  
26 included in the budget for the regional school unit. Proposed expenditures that are not  
27 included in the regional school unit budget may be separately appropriated by the  
28 municipality to be expended by the regional school unit in accordance with the  
29 appropriation. ~~Supplemental municipal appropriations for education are not subject to~~  
30 ~~section 1486.~~

31 **Sec. 4. 20-A MRSA §1485, sub-§2**, as enacted by PL 2007, c. 240, Pt. XXXX,  
32 §13, is amended to read:

33 **2. Budget warrant.** The warrant articles presented to the legislative body of the  
34 regional school unit for approval of the regional school unit budget must correspond to the  
35 categories of the cost center summary budget described in subsection 1. ~~In addition to~~  
36 ~~expenditure and revenue cost center summary totals, the regional school unit board shall~~  
37 ~~provide to voters a reasonably detailed breakdown for each major subcategory within each~~  
38 ~~budget category. The department shall adopt routine technical rules pursuant to Title 5,~~  
39 ~~chapter 375, subchapter 2-A defining and establishing the content of those informational~~  
40 ~~subcategories.~~

41 **Sec. 5. 20-A MRSA §1485, sub-§3**, as enacted by PL 2007, c. 240, Pt. XXXX,  
42 §13, is amended to read:

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

4           **Sec. 6. 20-A MRSA §1485, sub-§4,** as enacted by PL 2007, c. 240, Pt. XXXX,  
5 §13, is amended to read:

6           **4. Transfer between budget cost center lines.** During the year for which the budget  
7 is approved using the cost center summary budget format, the regional school unit board  
8 may transfer an amount not exceeding 5% of the total appropriation for any cost center to  
9 another cost center or among other cost centers ~~without voter approval.~~

10          **Sec. 7. 20-A MRSA §1485, sub-§5,** as enacted by PL 2015, c. 463, §1, is amended  
11 to read:

12          **5. Additional state subsidy.** The warrant presented to the legislative body of the  
13 regional school unit at a regional school unit budget meeting may include an article or  
14 articles providing that, in the event that the regional school unit receives more state  
15 education subsidy than the amount included in its budget, the regional school unit board is  
16 authorized to use all or part of the additional subsidy to:

17           A. Increase expenditures for school purposes in cost center categories approved by the  
18 regional school unit board. ~~If that article is approved by the voters at the budget~~  
19 ~~meeting, the regional school unit board may increase expenditures for school purposes~~  
20 ~~in cost center categories approved by the regional school unit board as provided in the~~  
21 ~~article, without holding a special budget meeting and budget validation referendum;~~

22           B. Increase the allocation of finances in a reserve fund. ~~If that article is approved by~~  
23 ~~the voters at the budget meeting, the regional school unit board may increase the~~  
24 ~~allocation of finances for a reserve fund approved by the regional school unit board as~~  
25 ~~provided in the article, without holding a special budget meeting and budget validation~~  
26 ~~referendum; or~~

27           C. Decrease the local cost share expectation, as defined in section 15671-A, subsection  
28 1, paragraph B, for local property taxpayers for funding public education. ~~If that article~~  
29 ~~is approved by the voters at the budget meeting, the regional school unit board may~~  
30 ~~decrease the local cost share expectation for local property taxpayers approved by the~~  
31 ~~regional school unit board as provided in the article, without holding a special budget~~  
32 ~~meeting and budget validation referendum.~~

33          **Sec. 8. 20-A MRSA §1486,** as amended by PL 2023, c. 256, §1, is repealed.

34          **Sec. 9. 20-A MRSA §1487, first ¶,** as amended by PL 2007, c. 668, §21, is further  
35 amended to read:

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

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

9 **Sec. 10. 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 that  
13 an emergency exists. The voters of the regional school unit may authorize the regional  
14 school unit board at a special regional school unit budget meeting to expend additional  
15 funds from the regional school unit's undesignated fund balance or to pledge the credit of  
16 the regional school unit to obtain additional money for the operation of schools. A special  
17 budget meeting held on or after July 1, 2008 must be conducted in accordance with ~~sections~~  
18 section 1485 and 1486.

19 **Sec. 11. 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. Mandatory ~~budget validation and cost center summary budget form~~**

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

27 **SUMMARY**

28 This bill eliminates the requirement for the voters to validate a regional school unit  
29 budget at a referendum.