



# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 638

S.P. 228

In Senate, February 21, 2013

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**An Act To Require That School Budget Referenda Be Held on the  
Same Day as Primary Elections**

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator WHITTEMORE of Somerset.  
Cosponsored by Representative DUNPHY of Embden and  
Senators: LANGLEY of Hancock, MASON of Androscoggin, SAVIELLO of Franklin,  
THIBODEAU of Waldo, THOMAS of Somerset, Representatives: DOAK of Columbia Falls,  
MORRISON of South Portland, WALLACE of Dexter.

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

2 **Sec. 1. 20-A MRSA §1482-A, first ¶**, as enacted by PL 2007, c. 668, §17, is  
3 amended to read:

4 A regional school unit board shall hold a regional school unit budget meeting ~~at a~~  
5 ~~time it determines~~ no later than 30 days before the date of the statewide primary or  
6 referendum election in June or the 2nd Tuesday in June if a statewide primary or  
7 referendum election is not held in June that year.

8 **Sec. 2. 20-A MRSA §1486, sub-§2**, as amended by PL 2009, c. 571, Pt. QQQ,  
9 §2, is further amended to read:

10 **2. Validation referendum procedures.** The budget validation referendum must be  
11 held on ~~or before the 30th calendar day following the scheduled date of the regional~~  
12 ~~school unit budget meeting. The referendum may not be held on a Sunday or legal~~  
13 ~~holiday~~ the same date as the statewide primary or referendum election in June or on the  
14 2nd Tuesday in June if a statewide primary or referendum election is not held in June that  
15 year. The vote at referendum is for the purpose of approving or rejecting the total  
16 regional school unit budget approved at the regional school unit budget meeting. The  
17 regional school unit board shall provide printed information to be displayed at polling  
18 places to assist voters in voting. That information is limited to the total amounts  
19 proposed by the regional school unit board for each cost center summary budget category  
20 article, the amount approved at the regional school unit budget meeting, a summary of the  
21 total authorized expenditures and, if applicable because of action on an article under  
22 section 15690, subsection 3, paragraph A, a statement that the amount approved at the  
23 regional school unit budget meeting includes locally raised funds that exceed the  
24 maximum state and local spending target pursuant to section 15671-A, subsection 5.

25 **Sec. 3. 20-A MRSA §1486, sub-§3, ¶D**, as amended by PL 2007, c. 668, §20, is  
26 repealed and the following enacted in its place:

27 D. Absentee ballots must be available to voters on the day after the regional school  
28 unit budget meeting. The deadline to request an absentee ballot from the municipal  
29 clerk is the 3rd business day prior to the budget validation referendum election. The  
30 deadline to submit an absentee ballot to the municipal clerk is the close of the polls.

31 **Sec. 4. 20-A MRSA §1486, sub-§3, ¶E**, as amended by PL 2007, c. 668, §20, is  
32 further amended to read:

33 E. All envelopes containing absentee ballots received ~~before the day after the~~  
34 ~~conclusion of the regional school unit budget meeting or~~ after the close of the polls  
35 must be marked "rejected" by the municipal clerk.

36 **Sec. 5. 20-A MRSA §1488**, as enacted by PL 2007, c. 240, Pt. XXXX, §13, is  
37 amended to read:

1 **§1488. Special budget meeting**

2       The regional school unit board may call a special budget meeting when it declares  
3 that an emergency exists. The voters of the regional school unit may authorize the  
4 regional school unit board at a special regional school unit budget meeting to expend  
5 additional funds from the regional school unit's undesignated fund balance or to pledge  
6 the credit of the regional school unit to obtain additional money for the operation of  
7 schools. A special budget meeting held on or after July 1, 2008 must be conducted in  
8 accordance with sections 1485 and 1486, except that a regional school unit board may  
9 call a special budget meeting at a time it determines and the budget validation referendum  
10 must be held on or before the 30th calendar day following the scheduled date of the  
11 special budget meeting. The referendum may not be held on a Sunday or legal holiday.

12 **SUMMARY**

13       This bill requires a regional school unit board to hold a regional school unit budget  
14 meeting no later than 30 days before the date of the statewide primary or referendum  
15 election in June or the 2nd Tuesday in June if a statewide primary or referendum election  
16 is not held in June that year and requires the budget validation referendum to be held on  
17 the same date as the statewide primary or referendum election in June or on the 2nd  
18 Tuesday in June if a statewide primary or referendum election is not held in June that  
19 year. The bill changes the provisions governing absentee ballots for a budget validation  
20 referendum.