



# 125th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2012

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Legislative Document

No. 1696

H.P. 1248

House of Representatives, December 23, 2011

### **An Act To Modify the Alternative Organizational Structure Budget Approval Process**

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

Received by the Clerk of the House on December 21, 2011. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative BURNS of Whiting.  
Cosponsored by Senator MASON of Androscoggin and  
Representatives: DAVIS of Sangerville, HARMON of Palermo, MAKER of Calais, McKANE  
of Newcastle, TURNER of Burlington, WILLETTE of Mapleton, Senators: GERZOFSKY of  
Cumberland, President RAYE of Washington.

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

2 **Sec. 1. 20-A MRSA §1461-B, sub-§3, ¶C**, as enacted by PL 2009, c. 580, §5, is  
3 amended to read:

4 C. The budget procedures of member entities of an alternative organizational  
5 structure must conform to the format and referendum procedures set forth in sections  
6 1485 and 1486 for regional school units. The budget of the alternative organizational  
7 structure must be approved at a meeting of the voters of all of the member entities  
8 conducted in accordance with the procedures applicable to a regional school unit  
9 budget meeting except as provided in paragraph D. The budget of an alternative  
10 organizational structure is not subject to a separate budget validation referendum as  
11 described in section 1486.

12 **Sec. 2. 20-A MRSA §1461-B, sub-§3, ¶D** is enacted to read:

13 D. The governing body of an alternative organizational structure, by majority vote,  
14 may authorize a change in the alternative organizational structure budget approval  
15 procedures in paragraph C to require a budget approval by the governing body of the  
16 alternative organizational structure instead of a meeting of the voters of all of the  
17 member entities of the alternative organizational structure. The change in procedure  
18 must be authorized by a majority of the total number of voters of all of the member  
19 entities in the alternative organizational structure at the next statewide election. The  
20 article to be voted upon must be in substantially the following form:

21 "Article: Do you favor changing the (name of alternative organizational  
22 structure) budget approval procedure from a meeting of the voters to a vote by  
23 the governing body of the alternative organizational structure?

24 Yes No"

25 If approved by the voters, the budget approval procedure changes to a majority vote  
26 of the governing body of the alternative organizational structure at a budget meeting.  
27 This procedure must remain in effect for at least 3 budget years before the alternative  
28 organizational structure may return to the requirement that a budget be approved at a  
29 meeting of the voters of all of the member entities of the alternative organizational  
30 structure.

31 An article to consider reinstatement of the budget approval procedure in which the  
32 budget is approved at a meeting of the voters of all of the member entities may be  
33 placed on a warrant for referendum vote by either a majority vote of the governing  
34 body of the alternative organizational structure or by a written petition to the  
35 governing body of the alternative organizational structure signed by a number of  
36 voters of member entities of the alternative organizational structure equal to at least  
37 10% of the voters who voted in the last gubernatorial election in the member entities  
38 of the alternative organizational structure. The governing body of the alternative  
39 organizational structure shall place the article on the next scheduled warrant or an  
40 earlier one if determined appropriate by the governing body of the alternative  
41 organizational structure. The article to be voted upon must be in substantially the  
42 following form:

