

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

H.P. 1149 - L.D. 1786

**An Act to Repeal and Replace the Charter of the Boothbay-Boothbay Harbor
Community School District**

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

Sec. 1. P&SL 1953, c. 156, as amended by P&SL 2019, c. 11, §§1 to 3, is repealed and the following enacted in its place:

Sec. 1. Organization and continued existence. The Boothbay-Boothbay Harbor Community School District, referred to in this Act as "the community school district," is a community school district organized pursuant to the Maine Revised Statutes, Title 20-A, chapter 105 and this Act to provide public education in grades prekindergarten or kindergarten to grade 12 for the Town of Boothbay and the Town of Boothbay Harbor. The community school district is governed by Title 20-A, chapter 105 except as provided by this Act.

Sec. 2. Governance transition. The district school committee members and the trustees of the community school district serving as of the effective date of this Act shall continue in their offices for their respective remaining terms.

Sec. 3. Board of trustees; district school committee. Except as provided by this Act, the board of trustees and district school committee have the duties and authority pursuant to the Maine Revised Statutes, Title 20-A, chapter 105. The board of trustees may act as a building and facilities governing committee, including authority in consultation with the district school committee over the budget for maintaining, repairing, replacing and improving the community school district's buildings and other facilities and over the district's capital reserve funds. The community school district may vote in accordance with Title 20-A, section 1651, subsection 4 to have the district school committee perform the duties of the board of trustees.

Sec. 4. Cost sharing; amendment. The community school district shall apportion amounts to each member municipality for the total sum of the annual capital budget, less funds available from other sources to meet the same, and for the total sum of the annual operating budget, less funds available to meet the same, based upon the number of resident pupils in each municipality on the most recent June 1st before the fiscal year prior to the

fiscal year of the budget; except that no more than 60% and no less than 40% of such net sum for the annual capital budget may be so apportioned to any town in any year. For the purpose of local cost sharing under the Maine Revised Statutes, Title 20-A, section 15688, subsection 4, the district's cost-sharing formula was established by this Act prior to January 1, 2004, and this formula determines each municipality's local cost of education for purposes of Title 20-A, section 15688. The community school district shall assess and collect school taxes from each member municipality as provided by state law. The community school district shall follow the procedure under state law for amendment of cost-sharing, except that the district school committee shall submit any cost-sharing amendment to voters at a referendum and may determine the amendment to be approved only if each municipality adopts the amendment by a majority of its voters voting and if the total vote cast in each municipality is at least 20% of the number of votes cast in the last gubernatorial election.

Sec. 5. Borrowing authority; voter authorization. Except as provided by this Act, the board of trustees has the authority to borrow pursuant to the Maine Revised Statutes, Title 20-A, section 1651, subsection 2, paragraph E. Capital project bonds or notes of the community school district that are general obligations must be approved by the district voters. The board of trustees shall issue a warrant to initiate a district referendum on a general obligation bond issue of \$250,000 or more and a warrant to initiate either a district meeting or district referendum on a general obligation bond issue in an amount of less than \$250,000.

Sec. 6. Budget validation referendum. The format and procedure for the school operating budget to be presented to the voters of the community school district must be the cost center summary budget format and the budget validation referendum procedure of the Maine Revised Statutes, Title 20-A, chapter 105, subchapter 3.

Sec. 7. District meeting procedures. The community school district shall conduct budget meetings and special budget meetings in the manner provided under the Maine Revised Statutes, Title 20-A, chapter 105, subchapter 3. The community school district may conduct other meetings of its voters in the manner provided for budget meetings under state law.

Sec. 8. District referendum procedures. The community school district shall conduct referenda for purposes described in this Act or state law in the manner provided for regional school units under the Maine Revised Statutes, Title 20-A, chapter 103-A.

Sec. 9. Controlling law. If any provision of this Act conflicts with the Maine Revised Statutes, Title 20-A, chapter 105, the provisions of this Act control.