

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES (Filing No. H-456)  
109TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " / " to H.P. 98, L.D. 112, Bill, "AN  
ACT Relating to Computation of the Local Allocation."

Amend the bill by inserting after the title the following:

'Emergency preamble. Whereas, Acts of the Legislature do not  
become effective until 90 days after adjournment unless enacted  
as emergencies; and

Whereas, some municipalities in school districts must raise  
more than the subsidy index; and

Whereas, some of these districts may move toward dissolu-  
tion as the result of this situation; and

Whereas, the dissolution of districts or the withdrawal of  
some municipalities from a district may not be in the best interests  
of the students; and

Whereas, in the judgment of the Legislature these facts create  
an emergency within the meaning of the Constitution of Maine and  
require the following legislation as immediately necessary for the  
preservation of the public peace, health and safety; now, therefore,

Further amend the bill by striking out everything after the  
enacting clause and inserting in its place the following:

'Sec. 1. 20 MRSA §4743, sub-§15-A is enacted to read:

15-A. Municipality's share of the unit's state-local  
allocation. "Municipality's share of the unit's state-local

allocation" means the portion of the state-local allocation of a unit which is computed as follows:

A. Divide the state-local allocation of the unit by the average number of resident pupils used in computing the state-local allocation of the unit; and

B. Multiply the quotient determined in paragraph A by the average number of resident pupils in the municipality.

Sec. 2. 20 MRSA §4749, first ¶, as enacted by PL 1977, c. 625, §8, is amended by adding at the end the following new sentence to read:

Any unit which raises less than its local allocation because of the provisions of section 4751, subsection 1, paragraph D shall be considered to have raised its local allocation for purposes of the adjustments identified in subsections 2, 4, 5, 6 and 8.

Sec. 3. 20 MRSA §4751, sub-§1, as enacted by PL 1977, c. 625, §8, is repealed and the following enacted in its place:

1. Local allocation computation; recorded vote; limit; exception for certain units.

A. The commissioner shall compute the local allocation by multiplying the subsidy index established by the Legislature under section 4747, subsection 4, by the state valuation of the municipalities within each administrative unit.

B. The legislative body of each administrative unit may vote to raise and appropriate an amount up to the local allocation as computed by the commissioner. This action shall be taken by a recorded vote.

C. Notwithstanding paragraph A, the commissioner's computation of the local allocation for each administrative unit shall not exceed the state-local allocation as adjusted by section 4749 for the unit.

D. Notwithstanding any other provision of this chapter, the portion of the local allocation of a unit which the commissioner may compute for each member municipality shall be the lesser of the 3 following amounts:

- (1) The municipality's share of the unit's state-local allocation;
- (2) The product of the state valuation of the member municipality and the subsidy index; or
- (3) The amount determined on the basis of the unit's cost-sharing agreement.

E. Whenever any unit does not raise the local allocation as the result of paragraph D, the commissioner shall add to the State allocation of the unit an amount equal to the difference between the local allocation of the unit and the actual amount raised by the unit under these provisions.

F. The provisions of paragraph D shall be in effect only for those units formed prior to January 1, 1979 whose cost-sharing agreements have not been changed since January 1, 1979.

Sec. 4. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1979-80

EDUCATIONAL AND CULTURAL SERVICES

DEPARTMENT OF

All Other \$1,500,000

For general purpose and for local schools.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect July 1, 1979.'

Statement of Fact

The purpose of this amendment is to limit a municipality's share of allocation of a unit to the lesser of 3 amounts:

1. The amount raised by multiplying the subsidy index by the state valuation of the municipality;
2. The amount of <sup>the</sup> municipality's share of the unit's state-local allocation; or
3. The amount as determined by the local cost-sharing agreement.