

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 1995

S.P. 770

In Senate, December 18, 1989

Submitted by the Department of Educational and Cultural Services pursuant to Joint Rule 24.

Received by the Secretary of the Senate on December 18, 1989. Referred to the Committee on Appropriations and Financial Affairs and 1,600 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator COLLINS of Aroostook.

Cosponsored by Senator ESTES of York, Representative SMALL of Bath and Representative O'GARA of Westbrook.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act to Clarify the Laws Relating to Audit Reports, Audit Adjustments and Withholding State Subsidy.



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

2
4 Sec. 1. 20-A MRSA §6801-A, sub-§2, as amended by PL 1989, c.
414, §19, is further amended to read:

6 2. Authority to withhold state subsidy until reports are
8 received. Notwithstanding any other provision of law, if a
10 school administrative unit has failed to file the reports
12 required by sections ~~6004, 6151 and 8606~~ this Title in the
format and within the time periods specified, the commissioner
may withhold state subsidy payments until these reports are
received.

14 Sec. 2. 20-A MRSA §15612, sub-§7, as enacted by PL 1983, c.
16 859, Pt. G, §§2 and 4, is amended to read:

18 7. Audit adjustments. The following provisions apply to
audit adjustments.

20 A. If errors are revealed by audit and by the commissioner,
22 the school administrative unit's ~~foundation-allocation state~~
subsidy shall be adjusted to include corrections.

24 B. If audit adjustments are discovered after the funding
26 level is certified by the commissioner and the state board
28 on December 15th pursuant to section 15605, the Legislature
30 shall appropriate the necessary additional funds, if any, to
pay for these adjustments. These amounts, if any, shall be
in addition to the audit adjustment amount certified by the
commissioner and state board on the prior December 15th.

32
34 STATEMENT OF FACT

36 This bill specifies that, if additional funds are necessary
38 because of local audit reports received after December 15th when
40 next year's funding level must be certified by the State Board of
Education, those funds will be provided by the Legislature. The
bill allows the Commissioner of Educational and Cultural Services
discretion regarding whether the subsidy should be withheld.