



122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 1903

H.P. 1344

House of Representatives, January 4, 2006

An Act To Restore the Cost-sharing Agreement Established by the Voters of Maine School Administrative District No. 40

(EMERGENCY)

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

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

Millicent M. Mac Failand

MILLICENT M. MacFARLAND Clerk

Presented by Representative MILLER of Somerville.

Cosponsored by Representative BABBIDGE of Kennebunk, Senator DOW of Lincoln and Representative: MERRILL of Appleton, Senator: SAVAGE of Knox.

1 **Emergency preamble. Whereas,** acts of the Legislature do not become effective 2 until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation needs to take effect before the expiration of the 90-day period to enable the school board and school administration of Maine School Administrative District No. 40 to prepare the annual school budget for presentation to the voters; 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,

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

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12 Sec. 1. Local cost of education; exception for Maine School Administrative District No. 40. Beginning in fiscal year 2006-07, the provisions of 13 the Maine Revised Statutes, Title 20-A, section 15688, subsection 2 do not apply in 14 determining the local cost of education of member municipalities in Maine School 15 Administrative District No. 40. The cost-sharing formula established between the 16 member municipalities in this school administrative district prior to January 1, 2005 17 remains in effect until the formula is changed pursuant to Title 20-A, section 1301, 18 19 subsection 3.

20 **Emergency clause.** In view of the emergency cited in the preamble, this Act takes 21 effect when approved.

SUMMARY

23 Locally approved school administrative district cost-sharing agreements were 24 preempted by Public Law 2003, chapter 712, which first became effective for the 2005-06 school fiscal year. In some districts, that preemption caused significant changes in the 25 local financial obligations among the municipalities participating in those school districts. 26 This bill reestablishes the cost-sharing agreement established in 1992 at a referendum 27 28 election by the voters of Maine School Administrative District No. 40. That cost-sharing formula apportions all the local share contributions to the school district on the basis of 29 50% of each town's valuation and 50% of each town's student population. The bill also 30 preserves the right of the voters of the school district to amend that formula in the future 31 according to the procedures to amend cost-sharing arrangements that are available under 32 33 current law.