

MAINE STATE LEGISLATURE

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ONE - HUNDRETH LEGISLATURE

Legislative Document

No. 1351

S. P. 410

In Senate, February 8, 1961

Referred to Committee on Education. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Bates of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT Authorizing Acceptance of Federal Act Providing for
Financial Assistance in Constructing School Facilities.

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

Sec. I. R. S., c. 41, §§ 11-B to 11-E, additional. Chapter 41 of the Revised Statutes is amended by adding 4 new sections 11-B to 11-E to read as follows:

Sec. 11-B. State authorized to accept provisions of Federal acts providing for school construction assistance; to comply with laws and regulations. The State is authorized to accept any Act of Congress providing for financial assistance to states for the construction of school facilities or other purposes and, if accepted, will comply with all the provisions of the said Act of Congress, including any regulations published by the United States Department of Health, Education and Welfare under such act which have the force of law when published in the federal register.

Sec. 11-C. State Board of Education designated state agency. The State Board of Education is designated as the sole agency for administering the funds allotted under any federal act providing for financial assistance in the construction of school facilities, and it is authorized to make such certifications to the United States Commissioner of Education as are necessary to entitle the State to receive the benefits of such act, including the authority to elect that any portion of such a federal allotment be in the form of a commitment by the Federal Government to make direct payments of interest and principal on debts of local agencies for the construction of school facilities.

Sec. 11-D. Treasurer of State designated custodian of funds received. The Treasurer of State is designated as custodian for all moneys received by the

State from appropriations allotted under the authority of such a federal act providing for financial assistance for constructing school facilities. Said treasurer is authorized to receive and to provide for the proper custody of such funds and to make disbursements therefrom upon the order of the State Board of Education, its executive officer or other legal authority.

Sec. 11-E. Appropriations authorized. Where federal law requires matching by state funds, the State Board of Education is authorized to estimate the appropriations necessary to comply with the requirements of the federal law and to include such estimates in the budget request of the State Department of Education for appropriations to be made by the Legislature. Nothing in sections 11-B to 11-E shall be construed as obligating the State to make such appropriations if the Legislature, in its judgment, shall deem it in the best interests of the State not to make such appropriations and to waive, thereby, any allotments of federal funds the allotment of which is contingent upon such state appropriations. To the maximum extent possible under any federal act, school construction assistance presently authorized and paid under section 237-H shall be considered as state funds used to match federal funds.'

Sec. 2. R. S., c. 41, § 248, sub-§ XIII, repealed. Subsection XIII of section 248 of chapter 41 of the Revised Statutes, as amended by section 101 of chapter 364 of the public laws of 1957, is repealed.

Sec. 3. R. S., c. 41, § 248, sub-§ XIII-A, repealed and replaced. The first paragraph of subsection XIII-A of section 248 of chapter 41 of the Revised Statutes as enacted by section 1 of chapter 474 of the public laws of 1955 and amended by section 102 of chapter 364 of the public laws of 1957, is repealed and the following enacted in place thereof.

'As funds are appropriated, the authority may make a grant to an administrative unit where the borrowing capacity of the unit, the lease rental policies of the authority, and any other available funds are not sufficient in total to finance the minimum classroom facilities needed. Determination of eligibility shall be pursuant to such reasonable rules and regulations as the authority shall make and its determination shall become final upon approval of the Governor and the Executive Council. Any grant of state appropriated funds made under this section shall be considered as matching funds for any federal law requiring matching funds for school construction assistance. The authority is empowered to make an additional grant to administrative units extending school opportunities to children living in unorganized territory by adding to the grant as determined above the percentage thereof ascertained by dividing the number of pupils enrolled from unorganized territory on April 1st preceding by the total enrollment reported in the latest annual report required under section 71.'