

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND FIRST LEGISLATURE

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**Legislative Document**

**No. 1159**

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S. P. 416

In Senate, February 7, 1963

Referred to Committee on Education. Sent down for concurrence and 1,000 copies ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Brooks of Cumberland.

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## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-THREE

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### **AN ACT to Pay School Subsidies on the Basis of Uniform Local Effort.**

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

**Sec. 1. R. S., c. 41, § 237-C, amended.** Section 237-C of chapter 41 of the Revised Statutes, as enacted by section 1 of chapter 364 of the public laws of 1957, and as amended, is further amended to read as follows :

**'Sec. 237-C. The foundation program, defined.** To help equalize educational opportunity and guarantee a minimum program of education for all children throughout the State there is hereby established a foundation program or level of education, expressed in terms of a minimum dollar cost per pupil, in which the State will participate ~~financially on a percentage basis~~ rendering greater financial assistance to the less able administrative units.

Criteria for the foundation program shall be :

**I. Scope.** The scope of the school program shall include pre-primary or kindergarten education for 5-year old children and all grades through grade 12 ;

**II. Cost.** The cost of the foundation program shall include expenditures for teachers' salaries and board, conveyance of pupils, school bus purchases, fuel, janitors' services, tuition, board of pupils, textbooks, reference books, school supplies for desk or laboratory use, public utility services, flags, replacement of instructional equipment, fire insurance, compensation for superintendent and his assistants, school committee, community school committee or school directors, office, attendance officers and medical inspection.

Expenditures made for the purposes listed in this subsection, as reduced by

tuition collections and other school maintenance incidental receipts, including 90% of the receipts of Public Law 874 in federally impacted areas, as prescribed in section 237-D, shall constitute the net operating cost for the purposes of section 237-E;

**III. Employ and pay teachers.** School administrative units shall:

- A. Pay teachers in accordance with the minimum salary law;
- B. Employ at least one teacher for each 30 elementary school pupils in average daily membership except in the pre-primary or kindergarten where the ratio shall not exceed one teacher to 60 pupils and at least one teacher for each 25 high school pupils.

The term "average daily membership" as used in this chapter shall represent the sum of the days present and absent of all pupils in the schools under consideration divided by the number of days school is maintained.'

**Sec. 2. R. S., c. 41, § 237-D, amended.** The 2nd paragraph of section 237-D of chapter 41 of the Revised Statutes, as enacted by section 1 of chapter 364 of the public laws of 1957 and as last repealed and replaced by section 16 of chapter 353 of the public laws of 1959, is amended to read as follows:

'The average of the 2 preceding years' average daily membership of the pupils attending school in the unit shall be multiplied by the applicable dollar allowance in Table I below. To this amount shall be added the average of the unit's 2 preceding years' expenditure for tuition, pupil transportation and board. The total of these items will be the total foundation program. From this total foundation program shall be subtracted the average of the 2 preceding years' tuition collections and other school maintenance incidental receipts, **including 90% of the receipts of Public Law 874 in federally impacted areas.** The net cost thus obtained represents the net foundation program allowance on which state subsidy shall be computed biennially in accordance with ~~sections 237-F and Table II~~ **this section.**'

**Sec. 3. R. S., c. 41, § 237-E, amended.** Section 237-E of chapter 41 of the Revised Statutes, as enacted by section 1 of chapter 364 of the public laws of 1957, and as amended, is further amended to read as follows:

**'Sec. 237-E. State support of the foundation program.** On the basis of information available in the office of the commissioner of Education on September 1st for the 2 years next preceding the biennial convening of the Legislature, as provided in returns of educational statistics required by him, the commissioner shall apportion subsidies to the school administrative units of the State for each of the next 2 years according to the following plan, **except that the allocations to administrative units shall be no less in the year 1964 than in the year 1963.**

~~The several administrative units (cities, towns, plantations and School Administrative Districts) shall be divided into 21 classifications according to their valuations per resident school child being educated at public expense~~ From each unit's foundation program, as defined in section 237-D, shall be subtracted the yield of 17 mills times the unit's state valuation. The result shall be the amount of state aid, on the foundation program, that the unit is entitled

to receive; provided that no unit shall receive less than 20% nor more than 82% state aid on its foundation program. The state valuation used shall be as determined by the Board of Equalization in the statement filed by it, as provided in chapter 16, section 67; and the number of children shall be the average of the last 2 enrollment reports of resident pupils being educated at public expense on April 1st annually. Such computation. The computation of state aid for each unit shall be subject to correction in accordance with the final statement filed by the Board of Equalization on December 1st.

For each classification, except school administrative districts, the The subsidy allocation thereafter shall be the same for each of the 2 years of the biennium and shall be the applicable percentage of the average net foundation program allowance for the preceding 2 years as defined in section 237 D obtained from Table II below. Subsidy for school administrative districts shall be computed in accordance with this section.

TABLE II

Class	State Valuation per Resident Pupil	Percentage of State Support of Foundation Program
1	\$ 3,000 and under	66%
2	3,001 3,500	64
3	3,501 4,000	62
4	4,001 4,500	60
5	4,501 5,000	58
6	5,001 5,500	55
7	5,501 6,000	52
8	6,001 6,500	49
9	6,501 7,000	46
10	7,001 7,500	44
11	7,501 8,000	41
12	8,001 8,500	38
13	8,501 9,000	36
14	9,001 9,500	34
15	9,501 10,000	32
16	10,001 10,500	30
17	10,501 11,000	28
18	11,001 11,500	26
19	11,501 12,000	24
20	12,001 12,500	21
21	12,501 and over	18

Whenever any administrative unit's average net operating cost in any biennium is less than the amount provided for in the average net foundation program would have been had the per pupil allowances in Table I been used for a neces-

**sary school the same size as the administrative unit is operating**, its state subsidy for the next 2 years will be decreased accordingly, that is, the percentage that the net operating cost is of the true net foundation program allowance will be applied to that unit's preliminary allotment to determine the final subsidy. **True net foundation program allowance, as used in this section, shall mean the net foundation program allowance determined when using the per pupil allowances in Table I for a necessary school the same size as the unit for which the computation is being made.**

When a School Administrative District is formed during the biennium, following January 1st of a legislative year, the subsidy for the School Administrative District during that biennium shall be computed as follows:

The subsidy for a newly formed School Administrative District shall be the sum of the amounts that the towns would have received plus a 10% bonus. During the next succeeding biennium a School Administrative District, regardless of the previous net operating costs of the subordinate administrative units, shall receive its subsidy based on the average net foundation program of the district, plus the additional bonus as provided in section 237-G.

Any administrative unit, except those to which footnotes 1 or 2 of Table I, section 237-D, are applicable, in which the average net operating cost in any biennium exceeds the amount of the average net foundation program allowance shall be entitled to an additional subsidy allocation on that part of its average net operating cost which exceeds its net foundation program allowance, computed by multiplying the amount that the average net operating cost exceeds its net foundation program allowance by ~~10% of the percentage to which said administrative unit is entitled to receive in Table II~~ 4%.

In figuring subsidy to community school districts, the following shall apply. Those community school districts offering a school program which includes pre-primary or kindergarten through the 12th grade shall be subsidized as a single administrative unit, and payment made directly to the community school district rather than to the participating towns. In those community school districts where only part of this program is offered, the district cannot be considered as an administrative unit for subsidy purposes but each participating town's share of the operating cost of such district shall be treated as a tuition expenditure in the subsidy tabulation for that town and its subsidy figured accordingly.

The allocation made to each such town because of its share in the allowable operating cost of the community school district shall be paid to the community school district and credited to the town's share of the cost of operating the school with the remainder of each participating town's subsidy being paid directly to the town.

When a School Administrative District has taken over the operation of the public schools within its jurisdiction, the subsidy payment that would normally be paid to the subordinate administrative units which operated the public schools within the confines of the School Administrative District prior to the formation of said district shall be paid directly to the School Administrative District.'

**Sec. 4. R. S., c. 41, § 237-H, amended.** The 6th sentence of the first paragraph and the 3rd paragraph of section 237-H of chapter 41 of the Revised Statutes, as enacted by section 1 of chapter 364 of the public laws of 1957 and as amended, are further amended to read as follows:

‘On the basis of all the reports on file in the office of the commissioner on November 1st of each year, the commissioner shall determine the total amount to be paid to all of the School Administrative Districts and all eligible administrative units in that year, for capital outlay purposes, and shall apportion out of moneys appropriated for this purpose, in December of that year, to the School Administrative Districts and other eligible administrative units, the same percentage of each administrative unit’s expenditures for capital outlay purposes including principal and interest payments and any rental payments under lease agreements between the administrative units and the Maine School Building Authority as each administrative unit would be entitled to receive in that year ~~based on Table H of section 237-E~~ **obtained by dividing the amount of aid that the unit would have received on its foundation program had it supported 100% of the foundation program as computed in sections 237-D and 237-E, by the net foundation program allowance as computed under section 237-D.**’

‘When a municipality having more than 100 resident pupils educated at public expense in grades 9 through 12 has contracted with a School Administrative District to educate all of the pupils in said district in grades 9 through 12, for a period of from 5 to 20 years, said municipality shall, during the life of said contract, be paid out of moneys appropriated and apportioned for the purposes of this section, the percentage of said municipality’s expenditures for capital outlay purposes as it would be entitled to receive in that year ~~based on Table H of section 237-E~~ **obtained by dividing the amount of aid that the unit would have received on its foundation program had it supported 100% of the foundation program as computed in sections 237-D and 237-E, by the net foundation program allowance as computed under section 237-D.**’