

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
SENATE
105TH LEGISLATURE

COMMITTEE AMENDMENT "A" to S. P. 277, L. D. 860, Bill,
"AN ACT to Correct Errors and Inconsistencies in the Education Laws."

Amend said Bill in section 2 by striking out in the 7th and 8th lines (6th and 7th in L.D.) the following: "under the Vocational Education Act of 1963 (P.L. 88-210) and vocational educational amendments of 1968." and inserting in place thereof the following: '~~under the Vocational Education Act of 1963-(P.L.-88-210)~~ from the Federal Government for the purpose of vocational education.'

Further amend said Bill by inserting after section 2 the following:

'Sec. 2-A. R. S., T. 20, § 102, sub-§ 7, amended. Subsection 7 of section 102 of Title 20 of the Revised Statutes, as amended, is further amended by adding at the end the following: Notwithstanding any other section of law, the commissioner may remove basic approval from any school for cause. Whenever a school fails to meet requirements, the commissioner shall give due notice and shall hold a hearing. If the school fails to comply and does not take necessary remedial action, the commissioner may remove basic approval.

Sec. 2-B. R. S., T. 20, § 154, amended. The 3rd and 4th sentences of section 154 of Title 20 of the Revised Statutes, as repealed and replaced by chapter 191 of the private and special laws of 1967 and as amended, are further amended to read as follows:

(Filing No. S-237)

Upon approval of said certificate, the superintendent so employed shall, on presentation of proper vouchers, receive at intervals to be determined by the commissioner out of the sum appropriated for general purpose aid for the unit an amount in accordance with section ~~3723~~ 3732. Whenever a superintendent of schools serves as a supervising principal as authorized in section 151, subsection 5, the sum paid to such superintendent of schools shall not exceed the amount earned under section ~~3723~~ 3732 which is attributable to his duties as superintendent of schools.'

Further amend said Bill in section 4 in that part designated "§ 158." by striking out in the last 2 lines before the period (same in L.D.) the following: "or high schools as provided under section ~~3721,7-subsection-2~~ 3731" and inserting in place thereof the following: '~~er-high-schools-as-provided-under section-3721,7-subsection-2~~'

Further amend said Bill in section 8 by striking out all of the 4th and 5th lines (same in L.D.) and inserting in place thereof the following: 'The directors are authorized to return unused real property to individuals from whom it was purchased, their heirs or assigns, when it is no longer needed for school purposes.'

Further amend said Bill by inserting after section 10 the following:

'Sec. 10-A. R. S., T. 20, § 851, amended. The first sentence of the 2nd paragraph of section 851 of Title 20 of the Revised Statutes, as amended by section 4-A of chapter 589

(Filing No. S-237)

of the public laws of 1969, is further amended to read as follows:

Every administrative unit shall ~~raise and expend~~ appropriate by local taxation, annually, for the support of public schools therein, exclusive of the income of any corporate school fund, or of any grant from the revenue or fund from the State, or of any voluntary donation, devise or bequest, or of any forfeiture accruing to the use of schools, not less than \$20 \$30 for each inhabitant, according to the latest Federal decennial census ~~by which Representatives to the Legislature were last apportioned~~, under penalties as set forth in section 3732.'

Further amend said Bill by striking out all of section 13.

Further amend said Bill by striking out all of section 16.

Further amend said Bill by inserting after section 17 the following:

'Sec. 17-A. R. S., T. 20, § 1289, amended. The 4th sentence of section 1289 of Title 20 of the Revised Statutes, as repealed and replaced by chapter 87 of the public laws of 1969, is repealed and the following enacted in place thereof:

Such joint committee shall consist of a mutually agreed upon number of members of the school committee or board of directors of each contracting administrative unit chosen from their own membership and an equal number of trustees of the academy.
Other membership arrangements are permissible when agreed upon by the contracting parties.'

(Filing No. S-237)

Further amend said Bill by inserting after section 25 the following:

'Sec. 25-A. R. S., T. 20, §§ 1701 and 1702, repealed.

Sections 1701 and 1702 of Title 20 of the Revised Statutes are repealed.'

Further amend said Bill by inserting after section 35 the following:

'Sec. 35-A. R. S., T. 20, § 3457, amended. The 2nd sentence of the 2nd paragraph of section 3457 of Title 20 of the Revised Statutes, as enacted by section 2 of chapter 475 of the public laws of 1965, is amended to read as follows:

Any administrative unit qualifying for school construction aid under this section ~~by-virtue-of-receivng~~ which receives tuition students from surrounding municipalities must render at least 2 years' notice to the sending municipalities before discontinuing such acceptance.'

Further amend said Bill by inserting after section 36 the following:

'Sec. 36-A. R. S., T. 20, § 3457, amended. Section 3457 of Title 20 of the Revised Statutes, as enacted by section 2 of chapter 475 of the public laws of 1965, and as amended, is further amended by inserting at the end the following:

Notwithstanding any other provision of section 3457, for the year beginning January 1972 through the remainder of the 1971-73 biennium the commissioner is authorized to recompute on January 1, 1972, the construction aid percentages for all units in accordance with the statutes in existence at that time.

(Filing No. S-237)

Any administrative unit which has received, or is receiving, state construction aid for capital outlay purposes shall carry fire insurance and allied coverage upon the completed project in an amount not less than the cost or reconstruction cost of the project. The policy may include as an insured the State of Maine, as its interest may appear. In the event of damage to or destruction of a building the administrative unit shall first utilize the insurance proceeds to repair or rebuild the building. The State shall pay no subsidy on the insurance proceeds utilized for such repairs or rebuilding.

Sec. 36-B. R. S., T. 20, § 3458, sub-§ 2, amended.

Subsection 2 of section 3458 of Title 20 of the Revised Statutes, as enacted by section 10 of chapter 224 of the public laws of 1967, is amended to read as follows:

2. Interest. That the proposed project and the authorized method of financing it are in the best interest of the State and the administrative unit;'

Further amend said Bill in section 37 by striking out all of the last underlined sentence and inserting in place thereof the following: 'An amount equal to any interest earned from the investment of state construction aid payments shall be deducted from the final state payment made to the unit.'

Further amend said Bill by inserting after section 37 the following:

'Sec. 37-A. R. S., T. 20, § 3726, repealed. Section 3726 of Title 20 of the Revised Statutes, as enacted by section 3 of chapter 308 of the public laws of 1969, is repealed.

(Filing No. §-237)

Sec. 37-B. R. S., T. 20, § 3731, amended, The first sentence of the 2nd paragraph of section 3731 of Title 20 of the Revised Statutes, as enacted by section 2 of chapter 496 of the public laws of 1969, is amended to read as follows:

From the aid computed for each unit shall be deducted a sum of money which shall be paid directly to the superintendent of schools under ~~section~~ sections 154 and 155.

Sec. 37-C. R. S., T. 20, § 3732, amended. The 3rd paragraph following Table I of section 3732 of Title 20 of the Revised Statutes, as repealed and replaced by section 13-A of chapter 589 of the public laws of 1969, is amended to read as follows:

Any unit which fails to ~~raise-and-expend~~ appropriate by local taxation annually ~~\$20~~ \$30 per inhabitant as determined by section 851 for the support of its public schools for each of the 2 years preceding the convening of the Legislature shall receive the same percentage of its general purpose aid as the percentage determined when the ~~units~~ unit's appropriation per inhabitant from local taxes for public schools is divided by ~~\$20~~ \$30.'

Further amend said Bill by inserting after section 38 the following:

'Sec. 38-A. R. S., T. 20, § 3734, amended. The first sentence of section 3734 of Title 20 of the Revised Statutes, as enacted by section 2 of chapter 496 of the public laws of 1969 and as repealed and replaced by chapter 90 of the public laws of 1971, is amended to read as follows:

(Filing No. §-232)

Whenever a unit experiences an enrollment increase of resident pupils between October 1st in one school year and October 1st in the next school year in excess of 3%, or whenever a private or parochial school closes or discontinues a portion of the grades served and the pupils become the responsibility of the administrative unit, it may apply to the State Board of Education for a subsidy adjustment.

Sec. 38-B. Effective date. Section 38-A shall take effect 91 days after the adjournment of the Legislature.'

Statement of Fact

The purpose of this amendment is to correct errors and inconsistencies in the education laws.

Reported by the Committee on EDUCATION.

Reproduced and distributed pursuant to Senate Rule No. 11A.

(Filing No. B-237)

6/2/71