

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1131

H. P. 835

House of Representatives, February 25, 1971

Referred to Committee on Appropriations and Financial Affairs. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Smith of Dover-Foxcroft.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT to Fund the Costs of Public School Education from State Sources.

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

Sec. 1. R. S., T. 20, § 3456, amended. Section 3456 of Title 20 of the Revised Statutes, as amended, is further amended by adding 3 new paragraphs at the end to read as follows:

The State Board of Education is authorized and directed to review the organization and operation of all public school systems before January 1973. When all considerations including geographic factors have been examined, the board shall certify all school systems which are organized to insure maximum fiscal efficiency and adequate educational opportunities. When the board determines that a unit or member municipality of a School Administrative District does not meet the tests of fiscal efficiency and adequate educational programs, the unit or municipality shall be added to another unit.

When the board determines that one unit needs to be combined with another, it shall call a meeting of school and municipal officials in the units involved to work out the details and procedures to be followed in preparation for the merger. The number of directors to represent each municipality within an enlarged district shall be determined by a majority vote of the school and municipal officials representing the member towns in accordance with guidelines established in this Title. The method of sharing costs among the member municipalities shall be determined by a majority vote of the municipal officials and school officials meeting in joint session within the guidelines established in this Title.

The municipalities shall merge for school purposes on a date to be selected by the State Board of Education. The board shall notify the municipalities

of the date selected at least 60 days prior to the date in order that the necessary school directors may be elected and qualified for office before the organizational date. All mergers shall be completed no later than January 2, 1973.

Sec. 2. R. S., T. 20, c. 512, repealed. Chapter 512 of Title 20 of the Revised Statutes, as enacted by section 2 of chapter 496 of the public laws of 1969, is repealed.

Sec. 3. R. S., T. 20, c. 512-A, additional. Title 20 of the Revised Statutes is amended by adding a new chapter 512-A to read as follows:

CHAPTER 512-A

GENERAL PURPOSE AID

§ 3741. General purpose aid

To help equalize educational opportunity, it is declared to be the intent of the Legislature to fund the average cost per pupil in each public school in the State, plus the cost of transportation, plus the cost of constructing and equipping school facilities.

The State shall distribute to each unit an amount per pupil equal to the average per pupil expenditure in the year preceding the convening of the Legislature. The state average per pupil expenditure shall be computed by totaling the expenditures made by local units from state and local funds exclusive of federal funds, except for those distributed to impacted areas under Public Law 874 and excluding all expenditures for transportation, capital outlay, community services and debt service. Divide the expenditures as so computed by the average number of resident pupils educated at public expense on October 1st and April 1st for the school year preceding the convening of the Legislature.

The State shall reimburse the local units the average expenditures for school transportation, including school bus purchases, school crossing guides and the board of pupils, for the 2 fiscal years preceding the convening of the Legislature.

The State shall reimburse the local unit the average expenditures for debt service on school construction, including principal and interest payments, for the 2 fiscal years preceding the convening of the Legislature.

The State shall reimburse expenditures made for special education pupils in classes operated by the unit or for pupils tuitioned to other schools or for other special education expenditures when such expenditures have been approved by the commissioner. Those expenditures which exceed the state average per pupil cost for handicapped children when approved by the commissioner shall be reimbursed. State aid reimbursements for the education of handicapped children shall occur in the fiscal year immediately following the expenditure year.

Whenever a unit experiences an enrollment increase of resident pupils educated at public expense in excess of 3% between October 1st in one school year and October 1st in the next school year, it may apply to the State Board

for a subsidy adjustment. Such an adjustment shall be computed and paid before December 31st if proof is furnished and the board makes a finding of fact that a hardship does exist. In such a case the new pupils shall be subsidized at the same rate as other pupils in the subsidy computation.

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 154. The amount shall equal $\frac{1}{3}$ of the annual contract salary.

Administrative units shall pay teachers an amount at least equal to the minimum salary law, and shall employ at least one teacher for each 30 elementary school pupils in average daily membership, except in the kindergarten where the ratio shall not exceed one teacher to 60 pupils and at least one teacher for each 25 high school pupils.

§ 3742. Subsidy computation and payment

The average number of pupils educated at public expense on October 1st and April 1st of the school year preceding the convening of the Legislature shall be multiplied by the average per pupil expenditure as defined in section 3741. To this amount so determined shall be added the average sums of money expended for school transportation items as defined in section 3741 for the 2 fiscal years preceding the convening of the Legislature. To the total figure shall be added the average sums of money expended for debt retirement of items as defined in section 3741 for the 2 fiscal years preceding the convening of the Legislature. The total amount thus determined minus the sum withheld for payment under section 154 shall be apportioned in accordance with section 3455.

Aid for expenditures for handicapped pupils, as defined and described in section 3741, shall be computed and paid in the year following the expenditure year.

Each unit shall be reimbursed \$15 for every student completing a driver education course during the preceding year.

Aid to community school districts including transportation and special education shall be distributed in direct proportion to the number of students being educated by the district as compared with the total number of students in the member towns.

Sec. 4. Appropriation. There is appropriated from the General Fund to the Department of Education the sum of \$160,000,000 to carry out the purposes of this Act for the fiscal year 1972-73.

STATEMENT OF FACT

The intent of this legislation is to remove the cost of public school education from the property tax field at the local level and to make certain that all children have an equal opportunity to the right of public school education, at least at the level of the average per pupil expenditure. This bill also places the burden of paying for public buildings (schools) on state tax sources and extends that aid to every municipality in the State.