

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
107TH LEGISLATURE

SENATE AMENDMENT "A." to H. P. 107, L. D. 104, Bill, "AN ACT Relating to State Subsidy for Units with Federally Impacted Students."

Amend said Bill by striking out all of the Emergency preamble and inserting in place thereof the following:

'Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, federal statute reimburses school units for students residing on federal reservations; and

Whereas, a new federal statute enacted in August of 1974 permits a different method of computing state subsidy; and

Whereas, some municipalities face hardships under the existing law; and

Whereas, School Administrative District 77 decided not to educate students residing on federal reservations because of the inequity created by legislative document 1994 and the State Board of Education sued School Administrative District 77 seeking to compel School Administrative District 77 to educate said pupils, which suit is pending in the Washington County Superior Court by agreement of the parties awaiting the decision of the 107th Legislature in regard to this legislation; and

Whereas, it is essential that educational services be provided to all pupils, including students residing on federal reservations; 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, '

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Further amend said Bill by striking out all of section 2 and inserting in place thereof the following:

'Sec. 2. 20 MRSA §3713, sub-§3, ¶D, as last amended by PL 1973, c. 748 is repealed and the following enacted in place thereof:

D. When an administrative unit enrolls pupils who reside on land under control of the Federal Government, or any agency thereof, or on a Federal Military Reservation, such pupils shall be considered as resident pupils for purposes of this chapter. However, the allocation to such a unit shall be adjusted by subtracting therefrom, after all other adjustments under this section have been made, the federal public law 874 receipts in the same proportion that total local revenues under the state equalization program are of total local revenues for education in the unit. In adjusting the allocation under the previous sentence, the amounts subtracted for pupils residing on land under control of the Federal Government, or any agency thereof, or on a Federal Military Reservation, shall not exceed 1/2 of the national average expenditure per pupil, as computed by the Federal Government, times the number of such students in the unit. For the year 1974-75 no unit shall have its state aid reduced as a result of the passage of this Act.'

Statement of Fact

This amendment permits us to comply with federal law concerning the application of federal funds to locally impacted areas. When federal pupils are counted in the allocation for the year

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1974-75, additional state funds will have to be allocated and a state appropriation in the amount of \$375,429.30 is required.

(Katz)

NAME: 

COUNTY: Kennebec