

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 104

H. P. 107

House of Representatives, January 7, 1975

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

EDWIN H. PERT, Clerk

Presented by Mr. LeBlanc of Van Buren.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Relating to State Subsidy for Units with Federally Impacted Students.

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

Whereas, federal statute regulates how federally impacted moneys may be expended; 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, it is essential that educational services be provided to all pupils, including federally impacted students; 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,

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

Sec. 1. 20 MRSA, § 3712, sub-§ 1, as amended by PL 1973, c. 783, § 29, is further amended to read:

1. Operating costs. Elementary or secondary operating costs shall include all costs, except transportation, community services, capital outlay, that portion of the tuition costs applicable to the insured value factor in the tuition

formulae and debt service, reduced by tuition receipts, expenditures from all federal revenue sources, **except for revenues from the Federal Government because of federally impacted students**, and expenditures for special and vocational education programs as defined in subsection 4.

Sec. 2. 20 MRSA § 3713, sub-§ 3, last ¶ of ¶D, as enacted by PL 1973, c. 748, is repealed and the following enacted in place thereof:

Funds received by an administrative unit for federally impacted students shall be subtracted from the allocation along with the uniform property tax in determining the State's share of the unit's allocation.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

The purpose of this legislation is to make certain that all students, whether federally impacted or not, receive the same subsidy allocation. Some units will receive greater state aid as a result of the change and some units will receive less state aid. The net effect will be to decrease the department's request for funds for subsidy purposes by approximately \$50,000 per year. It should be noted that the final effect is to make certain that all students get the same treatment. State plus federal dollars will equal the same amount in federally impacted areas as state dollars available in areas with no federally connected students.