

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
107TH LEGISLATURE

COMMITTEE AMENDMENT "A" to S.P. 418, L.D. 1375, Bill,
"AN ACT to Clarify Certain Provisions in the Education
Laws."

Amend said Bill by inserting before the enacting clause
the following emergency preamble:

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

Whereas, some Acts enacted by the Legislature have created
inconsistencies and technical errors; and

Whereas, such inconsistencies and errors will create
uncertainties and confusion in interpreting legislative intent;
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, '

Further amend said Bill by inserting after section 6 the
following:

'Sec. 6-A. 20 MRSA §220, 3rd ¶, as enacted by PL 1973,
c. 556, §2, is amended by adding at the end the following:

'The Commissioner of Educational and Cultural Services shall
have the responsibility of approving or disapproving all school
bus purchases, contracts and leases. The school directors are

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authorized to procure short-term loans not to exceed 3 years for the purchase of school buses when such authorization has been approved at the annual budget meeting.'

Further amend said Bill in section 10 by striking out in the 2nd and 3rd lines after the amending clause the following: "the 3rd month in any given fiscal year established by the board of school directors" and inserting in place thereof the following: '~~the-3rd-month-in-any-given-fiscal-year~~ June 1st'

Further amend said Bill in section 17 by adding at the end the following new sentences: 'Total expenditures for purchases of school buses used in transportation of elementary and secondary students approved by the Commissioner of Educational and Cultural Services during any single year shall not exceed \$3,000,000. The amount of this limitation shall be reviewed annually by the Legislature to see if a change is warranted.'

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

'Sec. 17-A. 20 MRSA §362, 2nd ¶, first sentence, as enacted by PL 1971, c. 567, §3, is amended to read: 'The annual budget meeting shall be called ~~for-the-3rd-Monday in-March~~ on or before June 1st at an hour and in a location within the district to be designated by the board of trustees.'

Further amend said Bill by inserting after section 19 the following:

'Sec. 19. 20 MRSA §911, 6th sentence, as amended by PL 1967, c. 425, §19, is repealed as follows:

~~'The school committee or school directors may exclude from the public schools any child whose physical or mental condition makes it inexpedient for him to attend.'~~

Further amend said Bill by striking out all of sections 19 and 20.

Further amend said Bill in section 27 by adding at the end the following sentences: 'Total expenditures for purchases of school buses used in transportation of elementary and secondary students approved by the Commissioner of Educational and Cultural Services during any single year shall not exceed \$3,000,000. The amount of this limitation shall be reviewed annually by the Legislature to see if a change is warranted.'

Further amend said Bill by striking out all of section 28 and inserting in place thereof the following:

'Sec. 28. 20 MRSA §3713, sub-§ 14, is enacted to read:

14. Any administrative unit without a previous year's pupil count or with new pupils moving in may be permitted to appropriate from a subsidy allocation determined by the commissioner an amount of money not to exceed the average per pupil allocation of the State times the number of pupils, plus an amount for transportation to be approved by the commissioner. Such an appropriation may not exceed the State assessed uniform school tax of the unit.'

Further amend said Bill in section 31 by striking out the stricken out words in the 2nd line after the amending clause (same in L.D.) "~~seat-in-a~~" and inserting in place thereof the

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words 'seat in a'

Further amend said Bill by adding at the end of section 33 the following:

Use of flashing red lights restricted.
'4. / A school bus operator shall not use the system of red flashing lights on a school bus for any purpose other than controlling traffic in connection with the stopping of such a bus for the purpose of receiving or discharging school children.'

Further amend said Bill by striking out all of section 34.

Further amend said Bill by adding at the end before the Statement of Fact the following new sections:

'Sec. 33. 20 MRSA §3713, first ¶, next to last sentence,
as last repealed and replaced by PL 1975, c. 272, §20, is amended to read:

Fifty percent of the sum shall come from state tax-~~sources-~~
appropriations and 50% of the sum from the uniform school tax.

Sec. 34. 20 MRSA §3713, sub-§1, ¶C, sub-¶(1) as last repealed and replaced by PL 1975, c. 272, §21, is amended to read:

- (1) Expenditures for special education programs operated or contracted for by the administrative unit ~~less-expenditures-for-tuition-or-board,-or-both,~~ ~~paid-by-the-unit;~~

Sec. 35. 20 MRSA §3713, sub-§2, first ¶, 2nd sentence,
as last repealed and replaced by PL 1975, c. 272, §22,
is repealed and the following enacted in place thereof:
The commissioner shall authorize payments of aid to the
various administrative units in the amount of the subsidy
allocation and any adjustments in such allocation within the
time frames required in section 3455 and sections 3457 to
3460.

Sec. 36. 20 MRSA §3713, sub-§9, last sentence, as
enacted by PL 1973, c. 556, §1, is repealed as follows:
~~Any excess above this amount shall be returned to the Treasurer~~
~~of State.~~

Sec. 37. 20 MRSA §3713, sub-§11, last ¶, first sentence,
as enacted by PL 1975, c. 272, §31, is amended to read:
No municipality shall appropriate toward total education costs
an amount exceeding the local allocation under this section,
supplemented by any amounts raised under subsection 3,
paragraph B, and under subsection 9 11.

Sec. 38. 20 MRSA §3713, sub-§13, first ¶, as enacted
by PL 1975, c. 272, §31, is amended to read:

If any administrative unit has raised the maximum
local leeway, as authorized under subsection 11, such unit
may appropriate additional funds as needed to maintain its
average elementary or secondary per pupil operating costs
at the same level as computed under section 3713, subsection
3, ~~paragraphs A and~~ paragraph B.

Further amend said Bill by renumbering sections to read
consecutively.

Further amend said Bill by adding at the end before the Statement of Fact the following:

'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 amendment is to clarify the language in the Act and to correct technical errors in legislation already enacted.

Reported by the Committee on Education.

Reproduced and distributed pursuant to Senate Rule 11-A.

May 23, 1975. (Filing No. S-196)