

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1897

H. P. 1622

House of Representatives, May 21, 1975

Reported by the Committee on Education pursuant to H. P. 1588.

EDWIN H. PERT, Clerk

Presented by Mr. Lynch of Livermore Falls.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Create the Commission on Education Finance.

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

Whereas, the increased cost of education is creating significant pressures on the state budget; and

Whereas, the Legislature must know in greater depth the financial impact of the present school funding law and its effect on local communities and must have a clear understanding of alternatives in funding pursued in other states; 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 vitally 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. Commission established. There is created the Commission on Education Finance hereinafter known as the "commission."

Sec. 2. Membership. The commission shall be comprised of 16 members as follows: Two members of the Joint Legislative Committee on Education; one member of the Joint Legislative Committee on Appropriations; one member of the Joint Legislative Committee on Taxation; one superintendent of schools; one member of a local board of education; one member representing the Maine School Management Association; one member representing the Maine Teachers' Association; the Commissioner of Educational and Cultural

Services; the Chairman of the State Board of Education; one member from the Legislative Council; and 5 members from the general public.

Sec. 3. Method of appointment. Members not specifically designated by title shall be chosen as follows:

1. **Legislative Council.** The legislative members shall be appointed by the Legislative Council;

2. **State-wide organization.** The superintendent, the school board member, the representatives of the Maine School Management Association and the Maine Teachers' Association shall be selected by the state-wide organizations which they represent; and

3. **Public members.** The public members shall be appointed by the Governor.

The members shall be appointed in a timely manner and shall hold their organizational meeting at the call of the Governor, within 30 days of the effective date of this Act and shall choose a chairman and vice-chairman from within their ranks.

Sec. 4. Duties. The commission shall:

1. **Current education financing.** Review current education financing law;

2. **Methods of funding public education.** Review methods of funding public education in other states;

3. **Local appropriation and spending procedures.** Evaluate local appropriation and spending procedures as they reflect on local control of the cost and quality of education;

4. **Reduction of reliance on property tax.** Evaluate alternatives for further reduction of reliance on property tax, such as increased state funding and a circuit breaker tax;

5. **Other studies and evaluations.** Make any other studies and evaluations as necessary to perform the functions assigned above.

Sec. 5. Reports. The commission shall report its findings, together with final drafts of any suggested legislation, to the next regular or special session of the Legislature.

The commission may, in its judgment, file an interim report prior to the conclusion of its labor.

Sec. 6. Compensation of members. Members shall receive compensation at the rate of \$25 per day plus necessary actual expenses.

Sec. 7. Assistance. All executive and legislative departments are directed to give such prompt assistance to the commission as may be required for the fulfillment of its mission.

Sec. 8. Staff. The commission is authorized to retain outside staff and expert assistance as required.

Sec. 9. Appropriation. There is appropriated from the General Fund to the Commission on Education Finance the sum of \$15,000 to carry out the purposes of this Act.

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 create a Commission on Education Finance.