# MAINE STATE LEGISLATURE

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## (EMERGENCY) FIRST SPECIAL SESSION

#### ONE HUNDRED AND SEVENTH LEGISLATURE

### Legislative Document

No. 2044

H. P. 1888 House of Representatives, January 22, 1976 Out of Order and under Suspension of Rules, referred to Committee on Education. Sent up for concurrence and 12,000 copies ordered printed. EDWIN H. PERT, Clerk

Presented by Mr. Palmer of Nobleboro.

#### STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED SEVENTY-SIX

AN ACT to Repeal the Local Leeway Provisions of the Present Education
Finance Statute.

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

Whereas, present local leeway statutes allow for local administrative units to further commit state dollars during the current fiscal year; and

Whereas, there is the potential that an additional \$3,000,000 could be obligated by the adoption of such budgets as may be required in accordance with the uniform fiscal year statutes; and

Whereas, the following legislation is vitally necessary to prevent this occurrence; 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:

20 MRSA § 3713, sub-§ 11, first 3 ¶¶, as enacted by PL 1975, c. 272, § 31, are repealed as follows:

The legislative body of any administrative unit may, in addition to the unit's allocation under this section and in addition to any additional local

funds appropriated under subsection 3, paragraph B, authorize an additional expenditure for either elementary or secondary pupils or both not to exceed a local appropriation of 1½ mills on the state valuation of the unit in effect on January 1st of the same calendar year and 1½ mills on the state valuation in effect on July 1st of the same calendar year. Under this subsection, an administrative unit is authorized to appropriate a maximum of \$125 per pupil per year for the pupils specified in section 3713, subsection 1. If the additional school levy authorized under this subsection fails to produce \$50 per pupil per mill levied, the commissioner shall add to the allocation of the unit for the unit's fiscal year a sum which, when combined with the local levy under this section shall equal \$50 per pupil per mill. Said sum shall be paid no later than the last month of the unit's fiscal year

The funds appropriated under this section shall be called local leeway funds.

An article in substantially the following form is to be used when any municipality, School Administrative District or community school district is considering the appropriation of additional local funds under this subsection:

Article : To see what sum the municipality or district will authorize to be expended from local leeway for school purposes (Recommended \$ , and to see if the municipality or district will raise and appropriate the local share of \$

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved and shall apply to all school budgets which shall be adopted subsequent to November 1, 1975.

#### STATEMENT OF FACT

The purpose of this bill is to repeal present local leeway statutes in order to prevent further commitment of state payments for local leeway action which may be taken in accordance with uniform fiscal year statutes.