

MAINE STATE LEGISLATURE

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(Filing No. H-520)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

CONFERENCE COMMITTEE AMENDMENT "A" to H.P. 968, L.D. 1165,
Bill, "AN ACT Relating to the Spending Ceiling for Education
Purposes."

Amend the bill by striking out everything after the
enacting clause and inserting in its place the following:

'Sec. 1. 20 MRSA §3744, sub-§1, ¶O, as repealed and re-
placed by PL 1975, c. 746, §24-C, is repealed and the following
enacted in its place:

O. Optional local funds without state participation
raised under section 3749, subsection 1, including the
10% local portion of paragraphs C to F expended during the
base year; and

Sec. 2. 20 MRSA §3744, sub-§1, ¶P is enacted to read:

P. Funds raised under a hardship waiver granted by the
State Board of Education under section 3749, subsection 3,
and expended during the base year.

Sec. 3. 20 MRSA §3748, sub-§4, last ¶, as enacted by PL
1975, c. 660, §2, is repealed.

Sec. 4. 20 MRSA §3749, as amended by PL 1975, c. 746, §24-V,
is repealed and the following enacted in its place:

§3749. Local funds without state participation

In addition to the funds available under section 3748, any
local administrative unit is authorized to raise and expend funds
as follows.

1. Local addition to allocation of state funds. In addition
to the allocation of state funds provided by this chapter and
such appropriations that may be made under section 3748, subsection
4, any administrative unit may raise and expend the difference
between its computed elementary and secondary per pupil operating
costs for the base year, as adjusted, and the basic elementary and
secondary per pupil operating rates, respectively, as established
section 3747,
under/subsections 1 and 2. The total amount authorized for any
administrative unit shall be computed by multiplying the above
differences by the average number of resident elementary and
secondary pupils, respectively, who are enrolled on April 1st and
October 1st of the calendar year immediately prior to the year of
allocation.

2. Calculation of operating costs. For the purposes of
this chapter, moneys raised under subsection 1 shall be included
in any future calculation of the administrative unit's elementary
and secondary per pupil operating costs, but shall not be included
in any future calculations of the state average or total operating
costs.

3. Hardship waiver. If any ^{unit} petitions to the State Board of Education and demonstrates that unusual circumstances require additional appropriations and expenditures in order to avoid serious educational hardship in the unit, the State Board of Education shall grant authority to the unit to make additional appropriations for school purposes. Moneys appropriated under such a special grant of authority by the State Board of Education shall be included in any future calculations of the administrative unit's elementary and secondary per pupil operating costs, but shall not be included in any future calculations of the state average or total operating costs.

4. Major capital projects. In the event the administrative unit undertakes major capital projects without the approval of the State Board of Education, such projects shall meet the requirements of all other statutes and shall not be reimbursed with state funds.

5. Spending limit. No unit shall raise and expend funds for purposes of elementary and secondary education except as authorized in this chapter.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect July 1, 1977. In section 4 of this Act. section 37 49, subsection 3 shall be in effect from July 1, 1977 until June 30, 1978.'

Statement of Fact

The purposes of this amendment are to:

1. Authorize units to raise sufficient moneys locally to make up the difference between the unit's per pupil costs in the base year and basic per pupil operating rates as established by the Legislature;

2. Direct that these moneys should be included in future calculations of the local unit's per pupil costs, but should be excluded from future calculations of state average and total operating costs;

3. Authorize any unit to raise additional money/under a "hardship waiver" if it can demonstrate to the State Board of Education that it will experience severe educational hardship if it is not permitted to raise the money; and

4. Direct that any money raised under a hardship waiver should be included in the calculations of the unit's future per pupil costs, but should be excluded from future calculations of the state coverage and total operating costs.

Reported by the Committee of Conference.

Reproduced and distributed under the direction of the Clerk of the House.

6/6/77

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