

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
New Draft of: H. P. 1166, L. D. 1234

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ONE HUNDRED AND EIGHTH LEGISLATURE

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**Legislative Document**

**No. 1445**

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H. P. 1295

House of Representatives, April 11, 1977

Reported by a majority of the members from Committee on Appropriations and Financial Affairs and 2,000 printed under Joint Rules No. 2.

EDWIN H. PERT, Clerk

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**STATE OF MAINE**

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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**AN ACT to Establish Total Educational Costs and the Uniform Property  
Tax Rate and Appropriating Funds for the Fiscal Year Ending  
June 30, 1978.**

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

Whereas, this 90-day period will terminate after April and

Whereas, the requirements of Title 20, section 3747, must be complied with; 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. Appropriation.** The appropriation provided for general purpose aid for local schools in 1977-78 shall be expended for the purposes listed below under Parts A and B of this section as modified by section 3.

**PART A**

1. Elementary and Secondary  
Operating Costs

\$220,155,155

2. Special Education costs for programs operated by the administrative units	9,032,600
3. Special Education—costs for tuition and board, excluding medical costs	4,314,600
4. Vocational Education Costs	5,680,800
5. Transportation Costs	
a. Operating	15,441,600
b. Purchase of Buses	2,827,400
6. Debt Service Costs	
a. Capital Outlay	763,900
b. Debt Service	26,750,000
Subtotal	284,966,055
Less: P.L. 874 Funds	1,900,000
Total—Part A	\$283,066,055

**PART B**

1. Major Capital Costs	\$ 555,000
2. Cost of Unusual Enrollment Adjustments	600,000
3. Cost of Geographic Isolation Adjustments	308,934
4. Cost of Reimbursement for Private School Transportation	217,000
5. Audit Adjustments	71,000
6. Optional Local Appropriations with State Participation—maximum State obligation	5,785,245
Total—Part B	\$ 7,537,179
Grand Total	\$290,603,234

**Sec. 2. Basic per pupil elementary and secondary per pupil operating rate.** The basic elementary per pupil operating rate for 1977-78 shall be \$828 and the basic secondary per pupil rate for 1977-78 shall be \$1,161.

**Sec. 3. Limit of state's obligation.** In the event that the state's computed obligation for any individual program contained within Part A and B exceeds the level of funding provided for that program, any unexpended balances occurring in other programs within that Part may be applied to avoid prora-

tion of payments for any individual program. Any unexpended balance from Part A or B shall not lapse but shall be carried forward to be used for the same purpose.

**Sec. 4. Appropriation.** There is appropriated from the General Fund to the Department of Educational and Cultural Services the sum of (\$3,086,860) for the fiscal year ending June 30, 1977, and the sum of \$160,868,924 for the fiscal year ending June 30, 1978, to carry out the purposes of this Act. The breakdown shall be as follows:

	1976-77	1977-78
EDUCATIONAL AND CULTURAL SERVICES,		
DEPARTMENT OF		
General purpose aid for local schools		
All Other	(\$3,086,860)	\$160,868,924

**Sec. 5. 20 MRSA § 3748, sub-§ 4, 3rd, 4th and 7th sentences**, as repealed and replaced by PL 1975, c. 746, § 24-P, are amended to read:

Under this subsection, an administrative unit is authorized to appropriate a maximum of ~~\$90~~ \$100 per pupil per year for the pupils specified in subsection 1. The maximum levy on a municipality within an administrative unit shall not exceed ~~\$45~~ \$50 per pupil per mill levied on that municipality.

If the additional school levy authorized under this subsection fails to produce ~~\$45~~ \$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 ~~\$45~~ \$50 per pupil per mill.

**Sec. 6. 20 MRSA § 3748, sub-§ 4, 10th sentence**, as amended by PL 1975, c. 746, § 24-R, is further amended to read:

The purpose of these appropriations is to provide that all administrative units may raise and appropriate at least ~~\$45~~ \$50 per pupil per mill to supplement the adjusted allocations when necessary in the judgment of the local administrative units.

**Sec. 7. 36 MRSA § 451-A** is enacted to read:

**§ 451-A. Mill rate for fiscal year 1977-78**

Notwithstanding the provisions of section 451, subsection 2, the uniform property tax rate shall be 11.5 mills for the period beginning July 1, 1977, and ending June 30, 1978.

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

STATEMENT OF FACT

This bill establishes the total cost of education and the uniform property tax rate; increases the maximum leeway from \$90 to \$100 and appropriates

funds for the fiscal year ending June 30, 1978. The total cost of education established in this bill is \$290,603,234. Total state share is \$156,168,924. Total local share based on 11.5 mills is \$134,434,310. The appropriation is arrived at as follows:

Total state share	\$156,168,924
Less federal funds available	500,000
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Total General Fund	\$155,668,924
Uniform property tax pay-in	5,200,000
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Total appropriation	\$160,868,924