

MAINE STATE LEGISLATURE

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(NEW DRAFT OF H.P. 877, L.D. 1178)
SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 2218

H.P. 1623 House of Representatives, February 9, 1988
Reported by the Minority from the Committee on
Appropriations and Financial Affairs and printed under Joint
Rule 2.

EDWIN H. PERT, Clerk

Original bill sponsored by Representative FOSS of
Yarmouth. Cosponsored by Representatives SMALL of Bath,
LAWRENCE of Parsonsfield and Senator BERUBE of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

1 AN ACT to Require Full State Funding of any
2 Legislative Mandate.
3

4 Be it enacted by the People of the State of Maine as
5 follows:

6 20-A MRSA §2, sub-§3 is enacted to read:

7 3. Mandated programs. Any mandate enacted by the
8 Legislature after July 1, 1988, which requires

1 additional funding, shall be fully funded by the State
2 for 2 years, after which the mandate shall be funded
3 through the School Finance Act of 1985 as amended.
4 The funding requirements to implement the mandate must
5 be identified. Any such mandate for which full state
6 funding is not provided may not be enforced.

7 State mandates are defined as any state-initiated or
8 statutory action that requires a local school
9 administrative unit to establish, expand or modify its
10 activities in such a way as to necessitate additional
11 expenditures from local revenues, excluding any order
12 issued by a state court or any legislation necessary
13 to comply with a federal mandate.

14 This chapter is repealed on June 30, 1992, unless
15 reviewed and extended by specific Act of the
16 Legislature.

17 FISCAL NOTE

18 Enactment of this new draft will result in
19 significant future costs to the General Fund if the
20 Legislature enacts any mandates which have an impact
21 upon local educational units.

22 STATEMENT OF FACT

23 This new draft requires any mandate enacted by the
24 Legislature after July 1, 1988, that affects local
25 school administrative units to receive full state
26 funding for the first 2 years. After that 2-year
27 period, funding for that mandate would be folded into
28 the school funding formula. This new draft sunsets on
29 June 30, 1992, unless specifically extended by the
30 Legislature.

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