

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
114TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1305, L.D. 1805, Bill, "An Act Concerning Geographic Isolation Grants"

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

Sec. 1. 20-A MRSA §15612, 1st ¶, as amended by PL 1987, c. 853, §§1 and 2, is further amended to read:

Adjustments to the state share of the foundation allocation shall must be made as allowed in subsections ~~1-4~~ 1, 3 and 4, regardless of the amount raised for its local share of the foundation allocation for operating costs.

Sec. 2. 20-A MRSA §15612, sub-§2, ¶A, as enacted by PL 1983, c. 859, Pt. G, §§2 and 4, is repealed and the following enacted in its place:

A. The commissioner, with the approval of the State Board of Education and under rules promulgated by the department, shall determine whether a school within a school administrative unit is geographically isolated. The following factors must be considered in making the determination:

- (1) Per pupil expenditures;
- (2) Distance of the school from other school facilities;
- (3) Unique transportation problems;
- (4) Size of the school;

2                   (5) Mills raised for education in the school  
3                   administrative unit; and

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6

7                   (6) Any other relevant factors.  
8                   **Sec. 3. 20-A MRSA §15612, sub-§2, ¶¶B and C**, as enacted by PL  
9                   1983, c. 859, Pt. G, §§2 and 4, are amended to read:

10                   B. If the a school within a school administrative unit is  
11                   declared to be geographically isolated, the commissioner  
12                   shall adjust the operating allocation of the school  
13                   administrative unit to meet the educational needs of that  
14                   unit.

15                   C. The geographic isolation adjustment ~~shall~~ may not exceed  
16                   the amounts expended by the school administrative unit in  
17                   the geographically isolated schools in the base year which  
18                   were in excess of the operating allocation for those schools  
19                   in the year of allocation.

20                   **Sec. 4. Rulemaking.** The Department of Educational and  
21                   Cultural Services, by September 30, 1990, shall promulgate rules  
22                   setting forth a point system to be used in determining  
23                   eligibility for the geographic isolation adjustment. The point  
24                   system must provide that for each factor set forth in the Maine  
25                   Revised Statutes, Title 20-A, section 15612, subsection 2,  
26                   paragraph A, a school is awarded a number of points based on the  
27                   level of hardship created for the school administrative unit as a  
28                   result of each factor. The rules must establish a point total  
29                   below which the school is not considered geographically  
30                   isolated. The department shall also promulgate rules for  
31                   calculating the amount of the adjustment, and for prorating the  
32                   adjustment if appropriations are not sufficient. The rules must  
33                   provide that funds will be prorated on the basis of the number of  
34                   points awarded to a school administrative unit under the  
35                   eligibility determination. Rules must be promulgated in  
36                   accordance with the Maine Administrative Procedure Act, Title 5,  
37                   chapter 375.

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41                   **Sec. 5. Application.** This Act and the rules promulgated under  
42                   section 4 of this Act apply to geographic isolation adjustments  
43                   for fiscal year 1991 and beyond. The adjustments for fiscal year  
44                   1991 will not be paid before the earlier of September 30, 1990  
45                   and the date of final adoption of the rules required by section 4.

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47                   **FISCAL NOTE**

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49                   This bill and the associated rulemaking will establish a new  
50                   procedure for determining the distribution of geographic  
isolation grants, which will affect the eligibility and amounts

2 to be received by local school units. While the net effect on  
the total amount of isolation grants paid by the state can not be  
4 determined, the required rulemaking must include a provision to  
prorate the grants if appropriations are not sufficient.  
6 Therefore, no additional General Fund appropriations are  
required.'

8  
**STATEMENT OF FACT**

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12 This amendment strikes the language of the bill and replaces  
it with new language, including a fiscal note. The new language  
14 requires the Commissioner of Educational and Cultural Services to  
determine geographic isolation for individual schools, rather  
16 than for school administrative units, sets forth the factors that  
must be considered in determining whether a school is  
geographically isolated, and requires the commissioner to adopt  
18 rules to set forth specific eligibility standards and rules for  
calculating the amount of the adjustment. To determine  
20 eligibility and the prorating of the adjustment, the rules must  
establish a point system, similar to the point system used in  
22 approval of school construction projects. The point system would  
permit the commissioner and the State Board of Education to take  
24 into account all factors affecting schools without eliminating a  
school on the basis of a single factor. The point system for  
26 calculation and prorating of the adjustment would permit the  
commissioner to direct scarce funds to those units most severely  
28 affected by geographic isolation.

Reported by the Majority of the Committee on Education  
Reproduced and distributed under the direction of the Clerk of the  
House  
2/19/90 (Filing No. H- 806)