

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1994

Legislative Document

No. 1690

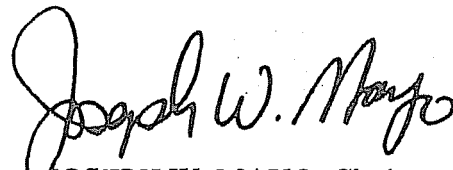
H.P. 1263

House of Representatives, January 11, 1994

An Act Concerning Unusual Enrollment Increases in Schools.

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.
Reference to the Committee on Education suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative BOWERS of Washington.
Cosponsored by Representatives: DRISCOLL of Calais, TRUE of Fryeburg, WALKER of Blue Hill.

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

Whereas, at least one school administrative unit has experienced a dramatic increase in the number of its students whose tuition must be paid to other schools and will not receive state subsidy as compensation for 2 years; and

Whereas, the small size of some school administrative units and their limited tax base result in a dramatic increase in the school tax to fund such unusual increases; 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. 20-A MRSa §15612, sub-§13, as enacted by PL 1989, c. 875, Pt. E, §32, is amended to read:

13. **Adjustment limitations.** The amounts of the adjustments paid to school administrative units or municipalities in subsections 1, 2, 4 3-A, 6, 7, 10, 11 and 12 are limited to the amounts appropriated by the Legislature for these adjustments.

Sec. 2. 20-A MRSa §15612, sub-§3-A is enacted to read:

3-A. Unusual enrollment increase, computation of adjustment. The following provision applies to unusual enrollment increases and computation of an adjustment to a school administrative unit's state subsidy.

A. A school administrative unit may qualify for an unusual enrollment adjustment when the increase in secondary pupils whose tuition is paid to another school administrative unit or approved private school between October 1st of the year of allocation of funds and October 1st of the year before the year of allocation of funds is 10% or more. The number of pupils in excess of a 10% increase is multiplied by the foundation per pupil operating rate as established in section 15603 to determine the allowable adjustment.

Sec. 3. **Retroactivity clause.** This Act applies retroactively to July 1, 1993.

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

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STATEMENT OF FACT

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6 This bill makes possible an increase in a school unit's
8 state subsidy when the unit experiences an unusual increase in
10 the number of students whose tuition must be paid to schools
12 outside the unit. Under the provision, a school that experiences
14 a 10% or greater increase in the number of secondary students
16 whose tuition is paid to public or approved private schools is
18 eligible for increased state subsidy. The increased state
20 subsidy is limited by the amount appropriated by the Legislature
22 for this purpose. The bill is retroactive to July 1, 1993 to
permit assistance for the current school year.

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This document has not yet been reviewed to determine the
need for cross-reference, stylistic and other technical
amendments to conform existing law to current drafting standards.