

MAINE STATE LEGISLATURE

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L.D. 2001

2 DATE: 3-17-98

(Filing No. H- 918)

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6 EDUCATION AND CULTURAL AFFAIRS

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the House.

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14 STATE OF MAINE
16 HOUSE OF REPRESENTATIVES
18 118TH LEGISLATURE
20 SECOND REGULAR SESSION

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24 COMMITTEE AMENDMENT "A" to H.P. 1437, L.D. 2001, Bill, "An
Act to Amend the Maine Indian Claims Settlement Act Regarding
Education Funding"

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28 Amend the bill by inserting after the title and before the
enacting clause the following:

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

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36 **Whereas,** the educational funding provision in current law
that enables schools operated by the Passamaquoddy Tribe and the
Penobscot Nation to obtain significant additional federal funding
will expire on June 30, 1998; and

38

40 **Whereas,** this federal funding reduces state general purpose
aid to those schools operated by the Passamaquoddy Tribe and the
Penobscot Nation; and

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44 **Whereas,** a report from the Department of Education filed
with the Joint Standing Committee on Education and Cultural
Affairs showed average annual savings in general purpose aid of
nearly \$750,000, while the tribal schools also benefited from
additional federal funding; and

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48 **Whereas,** it is necessary to continue this provision of law
that allows the Passamaquoddy Tribe and the Penobscot Nation to
obtain certain federal funding that would otherwise not be
available to support the schools that they operate; and

2 **Whereas**, in the judgment of the Legislature, these facts
3 create an emergency within the meaning of the Constitution of
4 Maine and require the following legislation as immediately
5 necessary for the preservation of the public peace, health and
6 safety; now, therefore,'

8 Further amend the bill in section 3 by striking out all of
the last sentence (page 1, lines 41 to 43 in L.D.)

Further amend the bill by inserting after section 3 the following:

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

18 Further amend the bill by inserting at the end before the
summary the following:

FISCAL NOTE

This bill continues a provision that allows the Passamaquoddy Tribe and the Penobscot Nation to obtain certain federal funding to support the schools that they operate that would otherwise not be available and allows the Department of Education to reduce the amount of school subsidy to those schools that would otherwise be required. If this bill is not enacted, the Department of Education will be required to recalculate the distribution of school subsidy, to distribute more subsidy to schools operated by the Passamaquoddy Tribe and Penobscot Nation and less subsidy to other school administrative units.'

SUMMARY

The bill continues an educational funding provision, which
is currently scheduled to be repealed on June 30, 1998, that
enables schools operated by the Passamaquoddy Tribe and the
Penobscot Nation to obtain significant additional federal
funding. This amendment adds an emergency preamble and an
emergency clause to the bill to ensure that the legislation is
enacted prior to the June 30, 1998 repeal date. The amendment
also adds a fiscal note to the bill.