

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 1953

S.P. 750

In Senate, January 10, 2006

An Act Regarding the Sharing of Costs in Certain School Districts

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MAYO of Sagadahoc.

Cosponsored by Representative BABBIDGE of Kennebunk, Speaker RICHARDSON of Brunswick and

Senators: President EDMONDS of Cumberland, SCHNEIDER of Penobscot, Representatives: CROSBY of Topsham, GERZOFKY of Brunswick, GROSE of Woolwich, HUTTON of Bowdoinham, PERCY of Phippsburg, WATSON of Bath.

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

4
6 **Whereas,** Private and Special Law 2005, chapter 23 provided a
one-time adjustment for fiscal year 2005-06 to the state share of
8 the total allocation for school administrative districts and
community school districts that have member municipalities with
10 local contributions that are below the maximum mill rate
expectation but that are adversely affected as a result of the
12 cost-sharing mechanism established pursuant to the Maine Revised
Statutes, Title 20-A, section 15688; and

14 **Whereas,** the Department of Education has agreed to continue
to review and analyze the implications of the new method of
16 determining the local cost of education in accordance with Title
20-A, section 15688, subsections 2 and 3-A of member
18 municipalities of school administrative districts and community
school districts whose cost-sharing formulas were established in
20 accordance with Title 20-A, section 1301 and 1704, respectively;
and

22 **Whereas,** the intent of both Initiated Bill 2003, chapter 2
24 and Title 20-A, section 15753 is to provide a mandatory state
appropriation for 100% of the special education costs of each
26 school administrative unit to recognize the special education
costs mandated by federal and state law, rule or regulation; and

28 **Whereas,** in the judgment of the Legislature, these facts
30 create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
32 necessary for the preservation of the public peace, health and
safety; now, therefore,

34 **Be it enacted by the People of the State of Maine as follows:**

36 **Sec. 1. 20-A MRSA §15689, sub-§1-A** is enacted to read:

38 1-A. Adjustments to state contributions to member
40 municipalities in certain school districts. Beginning in fiscal
42 year 2006-07, the minimum state allocation provisions of
44 subsection 1 are applicable for each case when one or more member
46 municipalities, but not all the district's member municipalities,
48 have a local contribution that is below the mill rate expectation
established pursuant to section 15671-A. For each school
district eligible under this subsection, the minimum state
allocation provisions of subsection 1 are applicable for each
member municipality that has a local contribution that is below
the mill rate expectation established pursuant to section

2 15671-A, except that the transition percentages in section 15689,
3 subsection 1, paragraph B must be multiplied by the percentage of
4 calendar year resident pupils in the member municipality.

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

8
9
10 **SUMMARY**

11 This bill is emergency legislation that provides an
12 adjustment to certain member municipalities in school
13 administrative districts and community school districts when one
14 or more member municipalities, but not all the school district's
15 member municipalities, have a local contribution that is below
16 the mill rate expectation established pursuant to the Maine
17 Revised Statutes, Title 20-A, section 15671-A. The bill provides
18 an adjustment equivalent to the adjustments provided to the state
19 share of the total allocation for school administrative units
20 that are determined to be minimum state allocation receivers
21 pursuant to Title 20-A, section 15689, except that the transition
22 percentages in Title 20-A, section 15689, subsection 1, paragraph
23 B must be multiplied by the percentage of calendar year resident
24 pupils in the member municipality.