

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 1068

H.P. 735

House of Representatives, March 17, 2009

**An Act To Extend the Summer Tourism Season and Thereby
Increase Sales Tax Revenues by Requiring that the School Year in
Maine Begin After Labor Day**

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MARTIN of Eagle Lake.
Cosponsored by Representatives: BEAULIEU of Auburn, CAIN of Orono, PINKHAM of
Lexington Township, TUTTLE of Sanford.

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

2 **Sec. 1. 20-A MRSA §4771**, as amended by PL 2007, c. 240, Pt. VVV, §1, is
3 further amended to read:

4 **§4771: Eligible institution and semester; defined**

5 As used in this chapter, unless the context otherwise indicates, "eligible institution"
6 means the institutions of the University of Maine System, the Maine Community College
7 System and the Maine Maritime Academy. "Semester" means the fall, spring or summer
8 term of an academic year. The fall semester may not begin before the official Labor Day
9 holiday of each year.

10 **Sec. 2. 20-A MRSA §4801, sub-§1**, as amended by PL 2005, c. 662, Pt. A, §10,
11 is further amended to read:

12 **1. Number.** A school administrative unit shall make provision for the maintenance
13 of all of its schools for at least 180 days a year. A 180-day school year may not begin
14 before the official Labor Day holiday of each year. At least 175 days ~~shall~~ **must** be used
15 for instruction. In meeting the requirement of a 180-day school year, no more than 5 days
16 may be used for in-service education of teachers, administrative meetings, parent-teacher
17 conferences, records' days and similar activities.

18 A. The commissioner may reduce or waive the minimum number of days required
19 on application from a school board. The application must be supported in writing
20 with a statement of the reasons for the request.

21 B. Notwithstanding any other section of the statutes, school committees, with the
22 approval of the commissioner, may adopt or amend rules necessary to implement an
23 extended school year at the local level. The commissioner may make appropriate
24 adjustments, not to exceed the allowable subsidy, to ~~insure~~ **ensure** fair and equitable
25 treatment in the distribution of state aid.

26 C. Notwithstanding this subsection, the commissioner shall ~~promulgate~~ **adopt** a rule
27 to provide that local school units may allow secondary school students to graduate up
28 to 5 school days prior to the regular end of the school year.

29 D. A school administrative unit, operating under a plan approved by the
30 commissioner, may provide for the use of up to 5 of the 175 instructional days
31 required by this section to be used for screening incoming first year students for the
32 purpose of identifying children with disabilities and students at risk of school failure
33 as required by state or federal law.

34 E. Notwithstanding this subsection and any other provision of law, for school years
35 1991-92 and 1992-93, a school administrative unit may reduce the number of days
36 for the maintenance of all its schools by 5 days a year. A school administrative unit
37 that decides to reduce the number of school days for school year 1991-92 or 1992-93,
38 or both, shall notify the commissioner in writing of its plan.

1

SUMMARY

2 The purpose of this bill is to extend the summer tourism season, and thus increase
3 sales tax revenues, by requiring that the school year in Maine begin after Labor Day.
4 This bill requires that the school year for Maine public schools and the fall semester for
5 state universities and colleges not begin until after Labor Day of each year.

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