

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 667

H.P. 459

House of Representatives, February 26, 2013

An Act To Increase Funding to Schools

(EMERGENCY)

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MAKER of Calais.
Cosponsored by President ALFOND of Cumberland and
Representatives: HARLOW of Portland, JACKSON of Oxford, MacDONALD of Old Orchard
Beach, McCLELLAN of Raymond, PEASE of Morrill, WEAVER of York, WERTS of
Auburn, WINCHENBACH of Waldoboro.

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

3 **Whereas,** continuing budgetary conditions limit the ability of state and local
4 governments to fund the full cost of the components of essential programs and services as
5 required under the school funding laws; and

6 **Whereas,** a provision of law will be repealed June 30, 2013 that protects a school
7 administrative unit from a reduction of state subsidy if the unit raises less than the
8 percentage of the total cost of essential programs and services required under the school
9 funding laws as long as the unit raises at least the same percentage of the local share as
10 the State raises of the State's share; and

11 **Whereas,** it is necessary to continue this protection provided to school
12 administrative units by replacing the repealed provision before June 30, 2013; and

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

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

18 **Sec. 1. 20-A MRSA §15690, sub-§1, ¶D,** as amended by PL 2011, c. 655, Pt. C,
19 §12, is repealed and the following enacted in its place:

20 D. In any fiscal year in which the sum of the State's contribution toward the cost of
21 the components of essential programs and services, exclusive of federal funds that are
22 provided and accounted for in the cost of the components of essential programs and
23 services, falls below the State's target of 55% of the cost of the components of
24 essential programs and services, the commissioner shall calculate the percentage of
25 the State's 55% share that is funded by state appropriations and, notwithstanding any
26 other provision of this paragraph, a school administrative unit may not have the
27 amount of its state subsidy limited or reduced under paragraph C if the school
28 administrative unit:

29 (1) In fiscal year 2013-14, raises at least the same percentage of its required local
30 contribution to the total cost of funding public education from kindergarten to
31 grade 12, including state-funded debt service, as the State's contribution toward
32 its 55% share of the cost of the components of essential programs and services;

33 (2) In fiscal year 2014-15, raises the same percentage of its required local
34 contribution to the total cost of funding public education from kindergarten to
35 grade 12, including state-funded debt service, as the State's contribution toward
36 its 55% share of the cost of the components of essential programs and services
37 plus 33% of the difference between that percentage and 100% of its required
38 local contribution; and

39 (3) In fiscal year 2015-16, raises the same percentage of its required local
40 contribution to the total cost of funding public education from kindergarten to

1 grade 12, including state-funded debt service, as the State's contribution toward
2 its 55% share of the cost of the components of essential programs and services
3 plus 66% of the difference between that percentage and 100% of its required
4 local contribution.

5 This paragraph is repealed June 30, 2016.

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

8 **SUMMARY**

9 This bill amends the law that provides for a proportional share reduction in the
10 amount of local share revenues that municipalities must raise under the Essential
11 Programs and Services Funding Act when the State does not fund the 55% state share
12 required by law. The bill phases out the proportional share reduction over a 3-year period
13 from fiscal year 2014-15 to fiscal year 2016-17.