

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 1207

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S.P. 393

In Senate, March 24, 2021

### An Act To Maintain the Current Level of Education Funding

(EMERGENCY)

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Received by the Secretary of the Senate on March 22, 2021. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant".

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator RAFFERTY of York.

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,** the spread of the novel coronavirus disease referred to as COVID-19 has  
4 created a public health emergency; and

5 **Whereas,** public schools in the State have experienced significant declines in student  
6 enrollment resulting from the COVID-19 pandemic, and consequently, school funding  
7 needs to be addressed as soon as possible; and

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

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

13 **Sec. 1. 20-A MRSA §15674, sub-§1, ¶C,** as amended by PL 2017, c. 284, Pt. C,  
14 §29, is further amended to read:

15 C. Beginning in fiscal year 2018-19:

16 (1) The average of the pupil counts for October 1st of the 2 most recent calendar  
17 years prior to the year of funding, reported in accordance with section 6004,  
18 including the counts of students enrolled in an alternative education program made  
19 in accordance with section 5104-A, except that for the 2021-22 fiscal year, if a  
20 school administrative unit's student enrollment has declined from the previous  
21 allocation year, the pupil count from the previous allocation year must be used.

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

24 **SUMMARY**

25 This bill provides that for the 2021-22 fiscal year, if a school administrative unit's  
26 student enrollment has declined from the previous allocation year, the commissioner is  
27 required to use the pupil count from the previous allocation year for the determination of  
28 operating costs.