

# MAINE STATE LEGISLATURE

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Legislative Document

No. 739

H. P. 1177

House of Representatives, February 13, 1945.

Referred to Committee on Education. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mrs. Roberts of Westbrook.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-FIVE

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**AN ACT Relating to Apportionment to Towns for Teaching Positions.**

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

**Sec. 1. R. S., c. 37, § 201, amended.** Section 201 of chapter 37 of the revised statutes is hereby amended to read as follows:

**'Sec. 201. Apportionment to towns for teaching positions.** On the basis of information furnished to the commissioner by the return of educational statistics for the year ending July 1st, annually, as provided for by section 64, said commissioner shall apportion to each town the sum of ~~\$190~~ **\$370** for each teaching position, or a corresponding fractional part of ~~\$190~~ **\$370** for each fractional part of a teaching position maintained **and approved by the commissioner** in the elementary and secondary schools of such town, provided, however, that no town failing to maintain the minimum program prescribed in section 204 shall receive over \$100 per teaching position. The distribution of state school funds to towns on account of teaching positions in December, ~~1943~~ **1945** shall be based upon the minimum program as established by section 204. Whenever any school is closed or suspended as provided for by section 8 and pupils attending such school have been conveyed to another school under such conditions of conveyance as may be approved by the commissioner, there may be apportioned to the town in which such school was maintained such amount

as, added to the amount apportioned under the provisions of this section on account of teaching positions, will give to said town, on account of said school, the same amount as though this position had been maintained for the entire year; provided, however, that ~~so long as said school remains closed and satisfactory conveyance is maintained, there may be apportioned the same amount as for the maintenance of a teaching position, provided, however, that~~ for said schools closed during the period July 8, 1921 to July 1, 1944, the amount so apportioned shall not exceed  $\frac{1}{2}$  the cost of such conveyance, and such apportionment shall not in any case exceed \$100 per each teaching position maintained during the year previous to the closing or suspension of said school and provided further that after July 1, 1944 when a town closes or suspends a school, and conveys the pupils to another approved school for the primary purpose of improving their educational opportunities, thereby eliminating a teaching position which is not reestablished elsewhere in the town, the amount so apportioned shall not be more than  $\frac{1}{2}$  the cost of such conveyance nor more than the amount which would have been apportioned had this teaching position been maintained; and provided further that if the said teaching position is reestablished elsewhere in the town, the amount apportioned for closing the school shall not be in excess of  $\frac{1}{2}$  the cost of said conveyance, not to exceed \$100 in addition to the regular apportionment for said teaching position.'

Sec. 2. R. S., c. 37, § 204, sub-§ II, amended. Subsection II of section 204 of chapter 37 of the revised statutes is hereby amended to read as follows:

'II. That part of the school equalization fund not apportioned as provided for by the preceding subsection shall be apportioned to towns wherein the rate of taxation in excess of the average of rates for the several towns of the state fails to produce a school revenue sufficient to provide adequate funds together with the apportionment from ~~the~~ state school fund funds and the income from any permanent school fund to maintain a minimum educational program, i.e.,  $\frac{1}{2}$  the cost of conveyance of elementary and secondary school pupils at public expense, ~~\$940~~ \$1,180 per elementary unit, ~~\$1,405~~ \$1,625 per secondary unit, at least ~~\$720~~ \$900 of which amounts shall be expended for teachers' wages, and the amount paid for secondary tuition; provided that the rate of taxation hereinbefore named shall be reckoned on the basis of the amount or amounts actually raised by taxation by the town for the support of elementary and secondary schools for the purposes named in section 206, exclusive of any amounts received from the state. The commissioner shall cause a special investi-

gation to be made of the educational facilities of such towns and, whenever it appears to the commissioner that any town should receive special aid or encouragement for the purpose of raising the standard of qualifications of teachers, or of increasing the length of the school year, or otherwise adding to the efficiency of the schools, he shall ~~issue to the governor and council a recommendation relative thereto, and the governor and council may request the state controller to~~ draw a warrant in favor of the treasurer of said town from the equalization fund for an amount to cover the difference between the proceeds of a tax of ~~13 mills not less than 10 mills nor more than 15~~ on the valuation of the town as fixed by the board of equalization together with the apportionment from the state school fund, and the cost of a minimum educational program as hereinbefore defined. **Such rate of tax shall be determined annually by the commissioner on the basis of equalization funds available for distribution.** Provided, however, that no town may receive in any year an amount in excess of the proceeds of a levy of ~~13 mills as established above~~ on the valuation of the town unless after the town has levied a tax of over 20 mills for the support of schools, sufficient funds are not available to maintain the minimum program, in which case the balance may be made up from the equalization fund. The amount apportioned shall be expended under the direction of the superintending school committee of said town in accordance with the recommendation as made by the commissioner. ~~Whenever the amount of the equalization fund as now provided by law is less than the sum of the amounts recommended to provide a minimum program in the towns of the state the necessary balance shall be provided from the general funds of the state.'~~