

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninety-second and Ninety-third
Legislatures
OF THE
STATE OF MAINE

From April 22, 1945 to May 14, 1947
AND MISCELLANEOUS STATE PAPERS
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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-third Legislature

1947

ipient, and such statements shall include full information regarding individual income, assets and liabilities.

Provided, however, if the recipient is unable to obtain the sworn statement from such child or spouse as above provided, then upon proof of his inability to do so and after hearing, the department shall determine whether such inability to do so is real and genuine, and if it decides that it is real and genuine, then the merits of his application shall be considered. Any determination made under the provisions of this section shall be subject to the right of appeal by the recipient under the provisions of section 262.'

Effective August 13, 1947

Chapter 403

AN ACT to Increase State Aid to Towns for the Support of Schools to Establish Minimum Salaries for Teachers.

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, as amended by section 1 of chapter 151 of the public laws of 1945, is hereby further 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:

I. To ~~to~~ each town the sum of \$300 for each teaching position or a corresponding fractional part of \$300 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~~ which has been maintained by the town in the elementary and secondary schools with approval of the commissioner of education and filled by a person working under a permit or sanction issued by the said commissioner, provided, however, that a town failing to maintain the minimum program prescribed in chapter 151 of the public laws of 1945, shall not receive in excess of \$100 per teaching position.

II. To each town the sum of not less than \$400 nor more than \$450 for each teaching position, or a corresponding fractional part of not less than \$400 nor more than \$450 for a fractional part of a teaching position which has been maintained by the town in the elementary and

secondary schools with approval of the commissioner of education and filled by a person holding a state teacher's certificate, provided, however, that a town failing to maintain the minimum program prescribed in section 204 shall not receive in excess of \$300 per teaching position, provided further, that there shall be allocated to each town for each teaching position approved by the commissioner, ~~the~~ a budgetary balance after deducting subsidy as above mentioned, which shall provide an amount sufficient to allocate to each municipality, units, as hereinafter determined, which shall be not less than \$90 each, based on the effort made by the town to support its school program as determined by the school-tax rate. This shall apply to all towns whose tax rates fall within the range of from ~~12 to 26~~ mills 15 to 29 mills, these gradations to be by steps of 3 mills each beginning at the low point previously mentioned. The amount each town shall receive under this provision shall be determined by the number of approved teaching positions times the number of the gradation within which the town's school-tax rate falls, times the value of the unit determined annually by dividing the amount of money available for this purpose by the weighted total number of teaching positions for the gradations described herein, provided ~~how-~~
~~ever~~ further, that no town shall be entitled to this special apportionment on teachers ~~which~~ who are not paid a minimum salary of ~~\$1,000~~ \$1,500, \$1,600, \$1,700 or \$1,800 per year as provided in section 204 and/or who do not hold a state teacher's certificate; provided further, that towns having school-tax rates above the rate included in the final gradation shall be considered as falling within the final gradation. Whenever any certified teacher completes, within any 2-year period, 6 credit hours of additional professional work approved by the commissioner and receives supplementary financial assistance in an amount not less than \$50 from the town, the town shall receive reimbursement of \$50 from the state for such expenditure at the next distribution of state funds, provided further, that the renewal of each teaching certificate shall be conditional on the completion of at least 6 semester hours of professional study within each period of 5 years. The distribution of state school funds ~~to towns on account of teaching positions~~ in December, ~~1945~~ 1947 shall be based upon the minimum program as ~~established by~~ prescribed in section ~~204~~ chapter 151 of the public laws of 1945; provided, however, that no town shall be apportioned more than \$100 for any teaching position for which the town pays an annual salary of less than \$1,000. 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 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, nor to exceed \$100 in addition to the regular apportionment for said teaching position.

In the event of insufficient appropriation to finance the foregoing provisions, the commissioner of education is authorized to make allocations to towns in the same ratio that total funds available are to total prescribed apportionments for teaching positions.'

Sec. 2. R. S., c. 37, § 204, sub-§ II, repealed and replaced. Subsection II of section 204 of chapter 37 of the revised statutes, as amended by section 2 of chapter 151 and by section 19 of chapter 350, both of the public laws of 1945, is hereby repealed and the following enacted in place thereof:

'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 state school 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 pupils at public expense, the amount paid for secondary tuition, and \$1,280 per elementary unit and \$1,725 per secondary unit employing teachers working under permits or sanctions, at least \$1,000 of which amounts shall be expended for teachers' wages, and \$1,900 per elementary unit and \$2,225 per secondary unit employing certified teachers, at least \$1,500 of which amounts shall be expended as wages for a certified teacher, \$1,600 for a teacher who has completed 3

years of professional study beyond high school, \$1,700 for a teacher who has completed 4 years of professional study beyond the high school and \$1,800 for a teacher who has completed 5 years of professional study beyond the high school; provided further that the rate of taxation herebefore 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 investigation 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 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 not less than 12 mills nor more than 20 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 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.'

Effective August 13, 1947

Chapter 404

AN ACT Relating to Salary of Superintendents of Schools.

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

R. S., c. 37, § 71, amended. The 3rd sentence of section 71 of chapter 37 of the revised statutes, as amended by section 4 of chapter 350 of the public laws of 1945, is hereby further amended to read as follows:

'Upon approval of said certificate, the superintendent so employed shall, on presentation of proper vouchers, receive monthly out of the sum ap-