

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

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PUBLIC LAWS
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the Chief Justice on matters affecting the administration of the Judicial Department, who shall review and discuss proposals from the Chief Justice and the State Court Administrator which affect the administration of the Judicial Department and who shall meet at least once each year for that purpose.

Effective October 24, 1977

CHAPTER 545

AN ACT to Provide Minimum Subsidy Payments for Small Administrative Units.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, there is an urgent need for some small administrative units to receive additional state aid for the fiscal year 1978 and thereafter; and

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

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

Sec. 1. 20 MRSA § 3743, sub-§ 13, ¶ J, as enacted by PL 1975, c. 660, § 2, is amended to read:

J. Cost of geographic isolation adjustments; ~~and~~

Sec. 2. 20 MRSA § 3743, sub-§ 13, ¶ J-1 is enacted to read:

J-1. Cost of adjustments for small administrative units; and

Sec. 3. 20 MRSA § 3744, sub-§ 1, ¶ J-1 is enacted to read:

J-1. Cost of adjustments for small administrative units;

Sec. 4. 20 MRSA § 3744, sub-§ 1, ¶ L, as enacted by PL 1975, c. 660, § 2, is amended to read:

L. State expenditures for each of paragraphs C ~~to~~ through K for the base year;

Sec. 5. 20 MRSA § 3744, sub-§ 1, ¶ O, as repealed and replaced by PL 1975, c. 746, § 24-C, is amended to read:

O. Optional local funds without state participation raised under section 3749 for each of paragraphs A ~~to~~ through K, including the 10% local portion of paragraphs C ~~to~~ through F or under a special hardship waiver granted by the State Board of Education, expended during the base year.

Sec. 6. 20 MRSA § 3745, 1st ¶, as repealed and replaced by PL 1975, c. 746, § 24-E, is amended to read:

The commissioner, with the approval of the State Board of Education, shall also certify annually, prior to February 1st, to the Legislature and the Bureau of the Budget his recommendation for the funding levels recommended for each of paragraphs A ~~to~~ through K and M of subsection 1 of section 3744 and for the state's maximum obligation under section 3748, subsection 4.

Sec. 7. 20 MRSA § 3746, as enacted by PL 1975, c. 660, § 2, is amended to read:

§ 3746. Governor's recommendation

The Bureau of the Budget shall, prior to February 15th, certify to the Legislature the recommendation of the Governor for the funding levels for section 3744, subsection 1, paragraphs A ~~to~~ through K and for the state's maximum obligation under section 3748, subsection 4. The Governor's recommendation may be to reduce, increase or approve any of the funding levels recommended by the commissioner.

Sec. 8. 20 MRSA § 3747, sub-§ 3, 1st sentence, as repealed and replaced by PL 1975, c. 754, § 1, is amended to read:

Establish the basic education allocation for paragraphs A through G and subsection 5 and the appropriations for paragraphs H through ~~J~~ K and subsections 4 and 7.

Sec. 9. 20 MRSA § 3747, sub-§ 3, ¶ K is enacted to read:

K. Adjustments for small administrative units.

Sec. 10. 20 MRSA § 3748, sub-§ 3, ¶ F is enacted to read:

F. A unit may qualify for a small unit subsidy adjustment if:

(1) It is operating an elementary school with 25 pupils or less in kindergarten through grade 8 during the school year immediately prior to the year of allocation, whereby it shall receive a minimum allocation for operating costs equal to 5/3 of the state average elementary teachers' salary in the school year immediately prior to the year of allocation as determined by the commissioner; or

(2) It is not operating an elementary school or a secondary school and has 25 pupils or less in the kindergarten through grade 8 during the school year immediately prior to the year of allocation, whereby it shall receive a minimum allocation computed by multiplying the elementary or secondary pupil enrollment on October 1st in the year of allocation by the state average elementary or secondary adjusted per pupil operating rate respectively or the actual cost of tuition payment in the year of allocation, whichever is less; or

(3) It is the intent of the Legislature that the small unit subsidy adjustment shall guarantee a minimum subsidy payment for operating costs to those units which qualify and that it shall be made only after the allocations in subsection 1, paragraphs A and B and subsection 2 have been made and the adjustments in paragraphs A through E have been made.

Sec. 11. Appropriation. There is appropriated to the Department of Educational and Cultural Services from the General Fund the sum of \$106,000 for the fiscal year 1977-78 to carry out the purposes of this Act. The breakdown shall be as follows:

	1977-78
EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF	
Education—General Purpose Aid for Local Schools	
All Other	\$106,000

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective July 22, 1977

CHAPTER 546

AN ACT to Authorize the State Librarian to Purchase Town Histories and other Maine Histories for Distribution to Public Libraries and Schools.

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

Sec. 1. 27 MRSA § 69 is enacted to read:

§ 69. Purchase and distribution of Maine histories

1. **Purchase.** The State Librarian shall purchase at least 25 copies, and may purchase up to 200 copies, of every town history or other book concerning the history of this State that is published in Maine. He shall purchase, within these limits, the number of copies required to meet the distribution requirements of subsection 2.

2. **Distribution.** The State Librarian shall retain sufficient copies of each history purchased under subsection 1 for the use of the State Library. The remaining copies shall be distributed without charge to all school, state, institutional and public libraries that request a copy. The State Librarian shall regularly publish and circulate to all these libraries a list of the histories available for distribution.

3. **Surplus.** The State Librarian may sell copies of each history that are not distributed under subsection 2. The State Librarian shall fix the price of sale at the retail price of the history. The Maine State Museum may sell these copies through its museum sales program, provided that the proceeds from the sale of these town histories shall not be used as required under section 89, and the complimentary publications required by that section shall not be required. All proceeds from the sales of these town histories shall be used to pay the costs of the distribution required under subsection 2, and any proceeds beyond these costs shall be used to meet the costs of purchase under subsection 1.