



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 367

S.P. 147

In Senate, February 12, 2013

**An Act To Repeal the Repeal Provision in the Law That Limits the
Reduction of State Subsidy for Education**

(EMERGENCY)

Reference to the Committee on Education and Cultural Affairs suggested 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 HAMPER of Oxford.
Cosponsored by Representative MAKER of Calais and
Representative: JACKSON of Oxford.

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6 **Whereas,** a provision of law will be repealed June 30, 2013 that protects a school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 repealing the repeal 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 further amended to read:

20 D. Beginning in fiscal year 2010-11, in any fiscal year in which the sum of the
21 State's contribution toward the cost of the components of essential programs and
22 services, exclusive of federal funds that are provided and accounted for in the cost of
23 the components of essential programs and services, plus any federal stimulus funds
24 applied to the State's contribution, falls below the State's target of 55% of the cost of
25 the components of essential programs and services, the commissioner shall calculate
26 the percentage of the State's 55% share that is funded by state appropriations and
27 federal stimulus funds and, notwithstanding any other provision of this paragraph, a
28 school administrative unit that raises at least the same percentage of its required local
29 contribution to the total cost of funding public education from kindergarten to grade
30 12, including state-funded debt service, as the State's contribution plus federal
31 stimulus funds toward its 55% share of the cost of the components of essential
32 programs and services may not have the amount of its state subsidy limited or
33 reduced under paragraph C.

34 ~~This paragraph is repealed June 30, 2013.~~

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

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SUMMARY

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This bill repeals the repeal provision in the law that exempts a school administrative unit from a reduction in its state subsidy for failure to raise its required local contribution to the total cost of funding public education if the unit raises the same percentage of the local contribution as the State raises of the state contribution.

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