

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by inserting after section 25 the following:

‘Sec. 26. Maximum disparity among mill rates. Notwithstanding any other provision of law to the contrary, except as otherwise provided in this section a municipality may not pay as part of its required contribution to the total cost of education as described in the Maine Revised Statutes, Title 20-A, section 15688 more than twice the mill rate of any other municipality within that same regional school unit, school administrative district or other school administrative unit in which the unit board of directors governs kindergarten to grade 12 education shared by multiple municipalities.

1. If, after the essential programs and services total cost of education has been determined by the Department of Education, a municipality is determined to have to pay as part of its required contribution to the total cost of education as described in the Maine Revised Statutes, Title 20-A, section 15688 more than twice the mill rate of any municipality within that same school administrative unit subject to this section, the department shall increase the lower mill rate and decrease the higher mill rate until the disparity falls within the maximum 2:1 ratio.

2. A municipality within a school administrative unit subject to this section is entitled to a transition adjustment determined by the Department of Education if the municipality has, by operation of subsection 1, an adverse fiscal impact resulting in:

A. A mill rate increase for the required contribution to the total cost of education as described in the Maine Revised Statutes, Title 20-A, section 15688 at or in excess of 0.5 mills; and

B. A resulting local contribution increase greater than 5%.

This section does not apply to a school administrative unit if each member municipality of the unit affirmatively votes to accept a disparity among mill rates that exceeds the maximum 2:1 ratio set forth in this section.

No later than January 31, 2009, the Commissioner of Education shall submit to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs proposed legislation necessary to implement this section. Following receipt and review of the proposed legislation, the joint standing committee may submit legislation to the First Regular Session of the 124th Legislature.’

SUMMARY

This amendment requires that a municipality that is part of a school administrative unit in which the unit board of directors governs kindergarten to grade 12 education that is shared by multiple municipalities may not pay as part of its required contribution to the total cost of education more than twice the mill rate of any other municipality within that same school administrative unit. This amendment also allows a transition adjustment for a municipality adversely affected to be determined by the Department of Education. The amendment also directs the Commissioner of Education to submit to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs proposed legislation necessary to implement this requirement.

FISCAL NOTE REQUIRED
(See attached)