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An Act To Restore the Cost-sharing Agreement Established by the Voters of Maine School Administrative District No. 40

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

Whereas, this legislation needs to take effect before the expiration of the 90-day period to enable the school board and school administration of Maine School Administrative District No. 40 to prepare the annual school budget for presentation to the voters; 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. Local cost of education; exception for Maine School Administrative District No. 40. Beginning in fiscal year 2006-07, the provisions of the Maine Revised Statutes, Title 20-A, section 15688, subsection 2 do not apply in determining the local cost of education of member municipalities in Maine School Administrative District No. 40. The cost-sharing formula established between the member municipalities in this school administrative district prior to January 1, 2005 remains in effect until the formula is changed pursuant to Title 20-A, section 1301, subsection 3.

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

SUMMARY

Locally approved school administrative district cost-sharing agreements were preempted by Public Law 2003, chapter 712, which first became effective for the 2005-06 school fiscal year. In some districts, that preemption caused significant changes in the local financial obligations among the municipalities participating in those school districts. This bill reestablishes the cost-sharing agreement established in 1992 at a referendum election by the voters of Maine School Administrative District No. 40. That cost-sharing formula apportions all the local share contributions to the school district on the basis of 50% of each town's valuation and 50% of each town's student population. The bill also preserves the right of the voters of the school district to amend that formula in the future according to the procedures to amend cost-sharing arrangements that are available under current law.