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An Act To Exempt from Penalties School Administrative Units That Would Lose Subsidy as a Result of Reorganization

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

Whereas, current law requires school administrative units to reorganize for efficiency and cost savings; and

Whereas, the reorganization of some school administrative units results in those units receiving less state funding for education; and

Whereas, it is necessary to provide relief to those school administrative units in time for that relief to be taken into consideration in calculating state subsidies for fiscal year 2010-11; 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-A MRSA §15696, sub-§2 is enacted to read:

2. Exception. The adjustments required by subsection 1 may not be made with regard to a school administrative unit that is nonconforming because the unit would lose state subsidy as a result of its reorganization under chapter 103A or if its reorganization failed because one of the units participating in the reorganization process would lose state subsidy as a result of reorganization.

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

SUMMARY

This bill provides that penalties for a school administrative unit that does not conform to reorganization requirements do not apply if the school administrative unit would lose state subsidy as a result of its reorganization or if the reorganization failed because a participating school administrative unit would lose state subsidy.