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An Act To Make Technical Corrections in the Laws Regarding Funding Adult Education Programs and the Closure of an Elementary School in a School District

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

Whereas, certain inconsistencies have been identified in the school district reorganization law, Public Law 2007, chapter 240, Part XXXX, that may adversely affect the ability of school administrative units to raise and appropriate funds for adult education programs; and

Whereas, certain inconsistencies have been also identified in the school district reorganization law, Public Law 2007, chapter 240, Part XXXX, that may adversely affect the authority of member municipalities in school administrative districts and community school districts to close an elementary school; and

Whereas, the provisions of this Act must take effect immediately to allow school administrative units to raise and appropriate funds for adult education programs and to restore the authority of member municipalities in school administrative districts and community school districts to close an elementary school; 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 §4102, sub-§4, ¶A, as enacted by PL 1983, c. 422, §17, is amended to read:

A. Elementary schools in school administrative districts and community school districts may only be closed if approved by the voters in accordance with the procedures set out in section 1407 and section 1751, subsection 51512 for regional school units.

Sec. 2. 20-A MRSA §8603-A, as enacted by PL 2007, c. 131, §3, is amended to read:

§ 8603-A. Warrant to raise, appropriate, receive and expend money

1. Warrant language. In order to fund adult education and educational activities and tuition costs under section 8603, a school administrative unit must use the following warrant language at a duly called special or regular meeting or city election:

"Article: To see if (the school administrative unit) will appropriate \$..... for adult education and raise \$..... as the local share; with authorization to expend any additional, incidental; or miscellaneous receipts in the interest and for the well-being of the adult education program."

2. Approval. Approval of the warrant must be by majority vote of those voting and, ~~if in more than one municipality, by a majority of those voting in each municipality~~ in the school administrative unit's legislative body budget meeting or election.

3. Effect on multiple school administrative units. ~~If individual municipalities in more than one school administrative unit are approving~~ is participating in the budget ~~adult education program, the appropriation line must still be the total amount of the adult education budget, but for all the units participating and the amount to be raised must be that specific school administrative unit's share of the total amount of that specific municipality's local share to be raised by local taxation.~~

Sec. 3. Retroactivity. That section of this Act that amends the Maine Revised Statutes, Title 20-A, section 4102, subsection 4, paragraph A applies retroactively to June 7, 2007.

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

SUMMARY

This bill is introduced by the Joint Standing Committee on Education and Cultural Affairs pursuant to Public Law 2007, chapter 240, Part XXXX, section 47. The bill makes the following changes to correct inconsistencies in the laws governing the reorganization of school administrative units.

1. It corrects inconsistencies in the laws pertaining to the authority of school administrative units to raise and appropriate funds for adult education programs.

2. It replaces provisions that were repealed pursuant to Public Law 2007, chapter 240, Part XXXX that are related to the closure of an elementary school within a school administrative district or a community school district and establishes that these provisions are retroactive to June 7, 2007.