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Legislative Document

No. 651

H.P. 478

House of Representatives, March 3, 2021

An Act To Stabilize Student Count in Maine's School Funding Formula

(EMERGENCY)

Received by the Clerk of the House on March 1, 2021. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script, reading "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MILLETT of Cape Elizabeth.
Cosponsored by Senator DAUGHTRY of Cumberland and
Representatives: BRENNAN of Portland, McCREA of Fort Fairfield, PIERCE of Falmouth,
WOOD of Portland, Senator: LIBBY of Androscoggin.

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

Whereas, the spread of the novel coronavirus disease referred to as COVID-19 has created a public health emergency; and

Whereas, public schools in the State have experienced significant declines in student enrollment resulting from the COVID-19 pandemic, and consequently, school funding needs to be addressed as soon as possible; 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 §15674, sub-§1, ¶C, as amended by PL 2017, c. 284, Pt. C, §29, is further amended to read:

C. Beginning in fiscal year ~~2018-19~~ 2021-22:

(1) The average of the pupil counts for October 1st of the 2 most recent calendar years prior to the year of funding, reported in accordance with section 6004, including the counts of students enrolled in an alternative education program made in accordance with section 5104-A, except that if a school administrative unit experiences a decline in total school administrative unit student enrollment of 10% or more in a single year, the pupil count used for operating costs in this Act for that school administrative unit is the average of the pupil counts for October 1st of the 3 most recent calendar years prior to the year of funding, reported in accordance with section 6004, including the counts of students enrolled in an alternative education program made in accordance with section 5104-A.

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

SUMMARY

This bill requires the Department of Education to use a 3-year average for pupil counts when a school administrative unit experiences a decrease of 10% or more of total school administrative unit student enrollment in a single year.