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An Act To Provide Additional Time to Certain School Administrative Units To Comply with School Administrative Unit Reorganization Laws

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 deadline for reorganization is approaching; and

Whereas, if a school administrative unit does not reorganize, penalties will be imposed against the school administrative unit; and

Whereas, this legislation will give school administrative units additional time to reorganize; 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. PL 2007, c. 240, Pt. XXXX, §36, sub-§11, as amended by PL 2007, c. 668, §47, is further amended to read:

11. Result of disapproval at January 2008 referendum or subsequent referendum on or before January 30, 2009. A school administrative unit that rejects a proposed reorganization plan at the January 15, 2008 referendum or at a subsequent referendum on or before January 30, 2009 may restart the process to form a regional school unit with the same or other school administrative units and may seek assistance from the Department of Education to prepare another reorganization plan.

A. Subsequent reorganization plans must meet the same requirements as for reorganization plans filed prior to the January 2008 referendum, except that the timelines are adjusted to reflect a July 1, 2009 reorganization date.

B. The penalties set forth in Title 20-A, section 15696 apply to any school administrative unit that fails to approve a reorganization plan on or before January 30, 2009 and to implement that plan by July 1, 2009, including those school administrative districts that are reformulated under subsection 12. These penalties do not apply to any school administrative unit that implements a reorganization plan by July 1, 2010 in accordance with subsection 11-A.

Sec. 2. PL 2007, c. 240, Pt. XXXX, §36, sub-§11-A is enacted to read:

11-A. Result for school administrative unit that approves plan at referendum on or before January 30, 2009 but is unable to implement plan. A school administrative unit that approves a proposed reorganization plan at the January 15, 2008 referendum or at a subsequent referendum on or before January 30, 2009 but is unable to implement the plan because the plan was rejected at referendum

by one or more of its proposed partner school administrative units under the plan may restart the process to form a regional school unit with the same or other school administrative units and may seek assistance from the Department of Education to prepare another reorganization plan.

A. Subsequent reorganization plans must meet the same requirements as for reorganization plans filed prior to the January 2008 referendum, except that the timelines are adjusted to reflect a July 1, 2010 reorganization date.

B. The penalties set forth in Title 20-A, section 15696 apply, as of July 1, 2010, to any school administrative unit that fails to approve a reorganization plan on or before January 30, 2010 and to implement that plan by July 1, 2010.

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

SUMMARY

This bill provides additional time for a school administrative unit to comply with the reorganization law if it approved a reorganization plan at a referendum prior to January 30, 2009 but is unable to implement the plan because the plan was rejected by one or more of its proposed partners. The school administrative unit would be allowed to restart the process to form a regional school unit with the same or other school administrative units.