

## CHAPTER 601

### GENERAL PROVISIONS

#### §15001. Definitions

As used in this Title and Title 20, unless the context indicates otherwise, the following terms have the following meanings. [PL 1981, c. 693, §§5, 8 (NEW).]

**1. Aggregate attendance.** "Aggregate attendance" means the total number of days of attendance for one school year in elementary and secondary schools of each regularly enrolled pupil resident of the municipality.

[PL 1981, c. 693, §§5, 8 (NEW).]

**2. Membership.** "Membership" means active participation in the program of a school from the date of enrollment to the time the student withdraws or is absent from the school for 10 consecutive days for reasons other than illness.

[PL 1981, c. 693, §§5, 8 (NEW).]

**3. Teaching positions.**

[PL 2009, c. 274, §15 (RP).]

**4. Pupil.** "Pupil" means elementary or secondary school student.

[PL 1981, c. 693, §§5, 8 (NEW).]

#### SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 2005, c. 397, Pt. D, §3 (REV). PL 2009, c. 274, §15 (AMD).

#### §15002. Permanent school fund

**(REPEALED)**

#### SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1985, c. 774, §6 (RP).

#### §15002-A. Permanent School Fund

The Treasurer of State shall keep a separate account of all money received from sales of lands appropriated for the support of schools or from notes taken therefor and of any other money appropriated for the same purpose. Those sums constitute the Permanent School Fund, which must be invested in such securities as are legal investments for savings banks under Title 9. The income from these investments must be placed in a dedicated revenue, interest-bearing account and must be available to be used for: [PL 2007, c. 667, §14 (AMD).]

**1. Alternative education, school dropouts and truants.** Financing the department's obligation to provide services to encourage the development of alternative education programs, including high school completion programs through adult education programs and must address other needs of school dropouts and truants as more specifically set forth in sections 5151 to 5153; and

[PL 2007, c. 667, §14 (AMD).]

**2. Allocation to school units.** Allocations to school administrative units for the purpose of surveying school systems and developing school plans. The allocations may not in any case exceed the unit's local share percentage determined under chapter 606-A times the cost of those surveys or plans.

[PL 2007, c. 667, §14 (AMD).]

**3. Fees for equivalency certificates.**

[PL 1989, c. 525, §2 (RP).]

#### SECTION HISTORY

PL 1985, c. 774, §7 (NEW). PL 1989, c. 525, §2 (AMD). PL 2007, c. 667, §14 (AMD).

#### §15003. School fiscal year

Notwithstanding any statute or charter provision to the contrary, a school administrative unit shall annually adopt a school budget for a period beginning on July 1st and ending on June 30th. [PL 1981, c. 693, §§ 5, 8 (NEW).]

#### SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW).

#### §15004. Unexpended balances

The unexpended balance of all money raised by a school administrative unit, received from the State for general-purpose aid or for other educational programs; from the Federal Government directly or from the Federal Government through the State; from tuition payments made by other units, the State, or by individuals; and other receipts for school purposes shall be carried forward and credited to the unit for educational programs for the ensuing year. [PL 1989, c. 425, §3 (AMD).]

Funds which are set aside for direct reimbursement programs or for workers' compensation self-insurance programs, established pursuant to section 1001, shall not be considered unexpended balances. These funds shall be carried forward to be used only for the reimbursement or self-insurance program for which they were originally dedicated. [PL 1989, c. 425, §3 (NEW).]

#### SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1989, c. 425, §3 (AMD).

#### §15005. Apportionments

**1. Apportionments.** Unless otherwise required by law, the State shall pay apportionments to school administrative units, career and technical education regions and private schools annually commencing in July. The State shall pay an amount not to exceed 1/12 of the subsidy each month no later than the last day of the month. The State shall pay any balance within 7 days after the end of the fiscal year. If the State pays the balance of state subsidy for a fiscal year after the end of the fiscal year, a school administrative unit, career and technical education region or private school may record the final payment as an account receivable due from the State in that fiscal year. [PL 2021, c. 571, §16 (AMD).]

**2. Career and technical education centers.** Payments may be made to career and technical education centers at the times and in the amounts as the commissioner may authorize. [PL 1991, c. 716, §6 (AMD); PL 2003, c. 545, §5 (REV).]

**3. Return required.** An apportionment provided in this chapter, chapters 505 and 606-B and section 13601 may not be paid to a school administrative unit by the Treasurer of State until returns required by law have been filed with the commissioner. [PL 2019, c. 398, §27 (AMD).]

**4. Failure to file return.** When the information required by the chapters and sections listed in subsection 3 is not available because of the failure of the school administrative unit, through its officers, to make the returns required by law, or because of the loss or destruction of the school records of the unit, the commissioner may use a basis for apportionment numbers on which the apportionment for the unit was made for the preceding year less 10%. [PL 1981, c. 693, §§5, 8 (NEW).]

#### SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1991, c. 429, §5 (AMD). PL 1991, c. 528, §16 (AMD). PL 1991, c. 528, §RRR (AFF). PL 1991, c. 591, §16 (AMD). PL 1991, c. 716, §6 (AMD). PL 1991, c. 824, §A37 (AMD). PL 2003, c. 545, §5 (REV). PL 2009, c. 571, Pt. E, §16 (AMD). PL 2011, c. 678, Pt. C, §3 (AMD). PL 2019, c. 398, §27 (AMD). PL 2021, c. 571, §16 (AMD).

### **§15006. School money; finance committees**

**1. Municipal schools.** Money appropriated for public schools for educational purposes may be paid from the treasury of a municipality by the treasurer of the municipality in the following circumstances:

A. Upon written order of the municipal officers following receipt of a bill of items certified by the superintendent of schools and approved by a majority of the school board or by a finance committee appointed or duly elected by the school board; or [PL 1993, c. 96, §1 (NEW).]

B. Upon presentation of a disbursement warrant as provided in Title 30-A, section 5603, subsection 2, paragraph A, subparagraph (2). [PL 1993, c. 96, §1 (NEW).]

[PL 1993, c. 96, §1 (RPR).]

**2. Quasi-municipal corporations.** No money appropriated for public school or educational purposes may be paid out by a school administrative unit other than a municipality, except upon written order of its treasurer. No such order may be drawn by the treasurer, except upon presentation of a properly avouched bill of items which has first been certified as to correctness by the superintendent of schools and approved by a majority of the school board or by a financial committee appointed or otherwise duly elected by the school board.

[PL 1987, c. 402, Pt. A, §130 (RPR).]

**3. Finance committees.** School boards which do not otherwise have authority to appoint a finance committee under this Title may appoint 2 or more members of the board and the superintendent to act as the finance committee of the administrative unit.

[PL 1987, c. 402, Pt. A, §130 (RPR).]

### SECTION HISTORY

PL 1985, c. 774, §8 (NEW). PL 1985, c. 797, §53 (NEW). PL 1987, c. 402, §A130 (RPR). PL 1993, c. 96, §1 (AMD).

### **§15007. Ministerial and school lands**

All income derived from ministerial and school lands within a municipality and from rents and profits of real and personal estate held under Title 13, section 3166, shall be annually applied to the support of public schools in the municipality or the schooling of resident students and expended like other school money. [PL 1985, c. 797, §53 (NEW).]

### SECTION HISTORY

PL 1985, c. 797, §53 (NEW).

### **§15008. Fuel cost stabilization fund**

A school administrative unit may establish and expend a fuel cost stabilization fund as provided in this section. [PL 2009, c. 104, §1 (NEW).]

**1. Establishment and funding.** The voters or other legislative body of a school administrative unit may establish a fuel cost stabilization fund and may raise and appropriate funds for that purpose in addition to the school operating budget. A separate warrant article for that purpose must be approved at the budget meeting and at the budget validation referendum. If a school administrative unit has discontinued the budget validation referendum process, the article must be approved by the voters or other legislative body using the same process as for approval of the school budget. If a school administrative unit has available fund balances at the end of a fiscal year, the transfer of those funds to

the fuel cost stabilization fund may be authorized at a budget meeting or other meeting of the voters or other legislative body. An article authorizing an appropriation or transfer to the fuel cost stabilization fund must be accompanied by a statement that includes the balance in the fuel cost stabilization fund before and after the proposed appropriation or transfer, the amounts expended from the fund in each of the 2 prior fiscal years and, in the case of a transfer, the amount expended from the fund in the current fiscal year.

[PL 2009, c. 104, §1 (NEW).]

**2. Fund limit.** An appropriation or transfer may not cause the aggregate amount in the fuel cost stabilization fund to exceed the school administrative unit's highest annual total cost for heating and transportation fuel in the 3 completed fiscal years prior to the authorization of that proposed funding amount. During the first 3 years of operation of a new or reorganized school administrative unit, the fuel costs of the original school administrative units may be aggregated for purposes of determining the total amount that may not be exceeded due to an appropriation or transfer.

[PL 2009, c. 104, §1 (NEW).]

**3. Expenditures.** In addition to its approved operating budget, a school board may expend funds in the fuel cost stabilization fund to offset fuel costs for heating and transportation that exceed budgeted amounts. A school board may transfer funds from the fuel cost stabilization fund for another purpose only when authorized to do so at a budget meeting or other meeting of the voters or other legislative body.

[PL 2009, c. 104, §1 (NEW).]

**4. Investment.** The money in the fuel cost stabilization fund may be invested as provided by law for school reserve funds with the earnings to be credited to that fund.

[PL 2009, c. 104, §1 (NEW).]

**5. Fund not to lapse.** A balance in the fuel cost stabilization fund at the end of a fiscal year does not lapse.

[PL 2009, c. 104, §1 (NEW).]

#### SECTION HISTORY

PL 2009, c. 104, §1 (NEW).

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