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STATE OF MAINE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS

March 3, 2010

MEMO TO: Senator William Diamond, Senate Chair,  
Representative Emily Ann Cain, House Chair, and  
Members of the Joint Standing Committee on Appropriations & Financial Affairs

FROM: Senator Justin Alfond, Senate Chair,   
Representative Patricia Sutherland, House Chair, and  
Members of the Joint Standing Committee on Education & Cultural Affairs

SUBJ: **Education & Cultural Affairs Committee LD 1671 Recommendation on Waiving Penalties for 15 Nonconforming Units that Voted to Support Reorganization Plans**

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We write to respond to your request for further clarification of our recommendation that penalties established under Title 20-A, section 15696 be waived for fiscal year 2010-11 for “nonconforming” school units with respect to the school district reorganization laws.

The Education and Cultural Affairs Committee unanimously recommends that the Appropriations Committee add language to LD 1671, the supplemental budget bill, to waive penalties for fiscal year 2010-11 for the 15 school administrative units where voters approved a reorganization plan, but the plan was not finally approved due to their prospective partners not voting to approve the reorganization plan. The Education and Cultural Affairs Committee strongly recommends that the Appropriations Committee identify “new” State General Funds to restore the \$1,120,531.51 in penalties calculated under the General Purpose Aid for Local Schools (or “GPA”) program for these 15 school units, (above and beyond the current amount of GPA appropriation that has been proposed under LD 1671), from the March 2010 revised forecast released by the Revenue Forecasting Committee that projects the availability of additional State General Fund revenues for fiscal years 2009-10 and 2010-11.

We thank you for your consideration of our biennial budget recommendations and look forward to working with you as you complete your work on LD 1671.

Units Not in Compliance/Voted Yes

SAU who voted yes	SAUs in original plan	# students (10/06)	NOI Approved	Plan Approved	Referendum date	Subsequent NOI	Notes
<b>Castine</b> \$18,119.36	Castine	74	8/20/2008	11/19/2008	1/27/2009	NO	
	Blue Hill	348				NO	
	Brooklin	107				NO	
	Brooksville	118				NO	
	Deer Isle-Stonington CSD	401				NO	
	Penobscot	119				NO	
	Sedgwick	153				NO	
	Surry	189				NO	
		1509					
<b>Deblois</b> \$370.10	Deblois	7	9/17/2007	9/16/2008	11/4/2008	NO	Had a meeting with Norm and Ray 11/30/2009; cannot agree on governance structure (RSU/AOS)
	Beddington	3				NO	
	SAD 37 (Harrington)	800				NO	
	Moosabec CSD	82				NO	
	Jonesport	118				NO	
	Beals	49				NO	
			1059				
<b>Gilead</b> \$8,106.16	Gilead	37	10/20/2008	12/2/2008	1/27/2009	NO	
	Upton	7				NO	
	MSAD 44	823				YES	Approved Alt Plan
	Rangeley	150				YES (6/24/09)	Approved Reorg Plan - LD 467
	Rangeley Plantation	17				YES (6/24/09)	Failed at referendum 2nd time 11/3/09
	Dallas Plantation	39				YES (6/24/09)	Approved Reorg Plan - LD 467
	Lincoln Plantation	2				YES (6/24/09)	Failed at referendum 2nd time 11/3/09
	Magalloway Plantation	1				YES (6/24/09)	Approved Reorg Plan - LD 467
	Sandy River Plantation	11				YES (6/24/09)	Approved Reorg Plan - LD 467
			1087				
<b>Highland Plantation</b> \$2,404.83	Highland Plantation	9	9/13/2007	9/12/2008	11/4/2008	Letter - Coplin, Highland, MSAD 58 (9/3/09)	
	Coplin Plantation	21				Letter - Coplin, Highland, MSAD 58 (9/3/09)	
	MSAD 9	2437				YES	Approved Alt Plan
	MSAD 58	696				Letter - Coplin, Highland, MSAD 58 (9/3/09)	
			3163				

Units Not in Compliance/Voted Yes

SAU who voted yes	SAUs in original plan	# students (10/06)	NOI Approved	Plan Approved	Referendum date	Subsequent NOI	Notes
<b>Madawaska</b> \$128,912.06	Madawaska	635	9/13/2007	9/17/2008	11/4/2008	NO	
	Grand Isle	63				NO	
	MSAD 10	22				YES (12/3/08)	Approved AOS
	MSAD 24	404				NO	
	MSAD 27	1073				YES (12/3/08)	Approved AOS
	MSAD 33	317				NO	
			2514				
<b>MSAD 25 (Staceyville)</b> \$68,801.40	MSAD 25	408	9/13/2007	9/30/2008	11/4/2008	YES (12/3/08)	Failed at referendum 2nd time 1/27/09
	Bancroft	9				YES (12/3/08)	Failed at referendum 2nd time 1/27/09
	Hersey	2				YES (12/3/08)	Failed at referendum 2nd time 1/27/09
	Moro Plantation	0				YES (12/3/08)	Failed at referendum 2nd time 1/27/09
	Orient	10				YES (12/3/08)	Failed at referendum 2nd time 1/27/09
	MSAD 14	130				YES (12/3/08)	Failed at referendum 2nd time 1/27/09
	MSAD 29	1307				YES	Approved Alt Plan
	MSAD 70	583				YES (12/3/08)	Failed at referendum 2nd time 1/27/09
	Southern Aroostook CSD	414				YES (12/3/08)	Failed at referendum 2nd time 1/27/09
		2863					
<b>MSAD 37 (Harrington)</b> \$180,556.94	SAD 37 (Harrington)	800	9/13/2007	9/16/2008	11/4/2008	NO	Had a meeting with Norm and Ray 11/30/2009; cannot agree on governance structure
	Beddington	3				NO	
	Deblois	7				NO	
	Moosabec CSD	82				NO	
	Jonesport	118				NO	
	Beals	49				NO	
			1059				
<b>MSAD 53 (Pittsfield)</b> \$182,424.89	MSAD 53	1163	9/13/2007	5/7/2008	6/10/2008	NO	
	MSAD 59 (Madison)	1034				YES (9/18/08)	Failed at referendum 2nd time 1/27/09
			2197				SAD 13, SAD 74, Caratunk, Forks...
<b>MSAD 68 (Dover-Foxcroft)</b> \$192,900.86	MSAD 68	1072	9/13/2007	12/10/2008	1/27/2009	NO	
	Beaver Cove	10				YES (6/24/09)	Approved Alt Plan - LD 467
	Bowerbank	3				NO	
	Greenville	196				YES (6/24/09)	Approved Alt Plan - LD 467
	MSAD 12	168				YES (6/24/09)	Approved Alt Plan - LD 467
	MSAD 41	727				NO	
	Shirley	19				YES (6/24/09)	Approved Alt Plan - LD 467
		2195					

Units Not in Compliance/Voted Yes

SAU who voted yes	SAUs in original plan	# students (10/06)	NOI Approved	Plan Approved	Referendum date	Subsequent NOI	Notes
<b>MSAD 74 (Anson)</b>  *voted YES at both referenda  <b>\$161,215.66</b>	MSAD 74	843	9/18/2008	11/19/2008	1/27/2009	YES (2/25/09)	Failed at referendum 2nd time 1/19/10
	Dennistown Plt.	0				NO	
	Pleasant Rdge Pl	1				NO	
	MSAD 13	262				YES (2/25/09)	Failed at referendum 2nd time 1/19/10
	MSAD 59	1034				NO	
	The Forks Plt.	2				NO	
	Caratunk	4				NO	
		2146					
<b>Millinocket</b>  <b>\$113,086.80</b>	Millinocket	625	8/20/2008	11/24/2008	1/27/2009	NO	
	Medway	214				NO	
	East Millinocket	286				NO	
			1125				
<b>Moro Plantation</b>  <b>\$402.96</b>	Moro Plantation	0	9/13/2007	9/30/2008	11/4/2008	YES (12/3/08)	Failed at referndum 2nd time 1/27/09
	Hersey	2				YES (12/3/08)	Failed at referndum 2nd time 1/27/09
	Bancroft	9				YES (12/3/08)	Failed at referndum 2nd time 1/27/09
	Orient	10				YES (12/3/08)	Failed at referndum 2nd time 1/27/09
	MSAD 14	130				YES (12/3/08)	Failed at referndum 2nd time 1/27/09
	MSAD 25	408				YES (12/3/08)	Failed at referndum 2nd time 1/27/09
	MSAD 29	1307				YES	Approved Alt Plan
	MSAD 70	583				YES (12/3/08)	Failed at referndum 2nd time 1/27/09
	Southern Aroostook CSD	414				YES (12/3/08)	Failed at referndum 2nd time 1/27/09
			2863				
<b>Surry</b>  <b>\$56,770.63</b>	Surry	189	8/20/2008	11/19/2008	1/27/2009	NO	
	Brooklin	107				NO	
	Brooksville	118				NO	
	Castine	74				NO	
	Deer Isle-Stonington CSD	401				NO	
	Penobscot	119				NO	
	Sedgwick	153				NO	
	Blue Hill	348				NO	
			1509				

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<b>Upton</b> <b>\$1,726.54</b>	Upton	7	10/20/2008	12/2/2008	1/27/2009	NO	
	Gilead	37				NO	
	MSAD 44	823				YES	Approved Alt Plan
	Rangeley	150				YES (6/24/09)	Approved Reorg Plan
	Rangeley Plantation	17				YES (6/24/09)	Failed at referendum 2nd time 11/3/09
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	Sandy River Plantation	11				YES (6/24/09)	Approved Reorg Plan
		1087					
<b>Vanceboro</b> <b>\$4,732.32</b>	Vanceboro	26	9/13/2007	12/1/2008	1/13/2009	NO	Had a meeting with Norm and Ray 11/30/2009
	Alexander	64				NO	
	Baileyville	299				NO	
	Baring Pt.	37				NO	
	Calais	498				NO	
	Charlotte	53				NO	
	Cooper	31				NO	
	Crawford	13				NO	
	Dennysville	70				NO	
	East Range CSD	36				NO	
	Eastport	173				NO	
	Gr Lake Str Plt.	11				NO	
	Meddybemps	15				NO	
	Pembroke	137				NO	
	Perry	154				NO	
	Princeton	148				NO	
	Robbinston	83				NO	
Talmadge	11				NO		
Waite	22				NO		
	1881						
<b>TOTAL PENALTIES</b> <b>\$1,120,531.51</b>							