

SENATE No. 2209

Senate April 5, 2016 -- Text of amendment (50) (offered by Senator Spilka) to the Senate Bill enhancing reform, innovation and success in education (Senate, No. 2203)

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

1 by inserting after the figure “70”, in line 45, the following words:- “as most recently
2 updated by section 3 of the general appropriation act”; and

3 by striking out sections 35 to 41, inclusive, and inserting in place thereof the following 7
4 sections:-

5 “SECTION 35. Chapter 70 of the General Laws, as appearing in the 2014 Official
6 Edition, is hereby amended by striking out section 2 and inserting in place thereof the following
7 section:-

8 Section 2. As used in this chapter and in chapters 15, 69 and 71, the following words
9 shall, unless the context clearly requires otherwise, have the following meanings:-

10 "Administration allotment", the amounts allotted within a district's foundation budget for
11 administration in any fiscal year. For fiscal year 2017, the classroom and specialist teachers
12 allotment shall be the sum of the following rate calculations; for subsequent fiscal years, it shall
13 be the sum of the following rates annually adjusted by the foundation inflation index:

14 (a) 182.01 dollars multiplied by the foundation pre-school enrollment and the
15 foundation half-day kindergarten enrollment; plus

16 (b) 364 dollars multiplied by the foundation full-day kindergarten enrollment, the
17 foundation elementary enrollment, the foundation junior high/middle school enrollment, the
18 foundation high school enrollment, and the foundation vocational enrollment; plus

19 (c) 2,512.26 dollars multiplied by the assumed in-school special education
20 enrollment and the assumed tuitioned-out special education enrollment.

21 "Assumed in-school special education enrollment", 4 per cent of total foundation
22 enrollment in a district not counting vocational or preschool enrollment, plus 5 per cent of
23 vocational enrollment.

24 "Assumed tuitioned-out special education enrollment", 1 per cent of the total foundation
25 enrollment in a district, not counting vocational or pre-school enrollment.

26 "Base Aid", in any fiscal year, the total amount of chapter 70 aid provided in the general
27 appropriation act of the previous fiscal year.

28 "Board", the board of elementary and secondary education.

29 "Chapter 70 aid", the sum of a district's base aid, foundation aid increment, if any, and
30 minimum aid increment, if any, in a fiscal year; provided, that non-operating district shall
31 receive chapter 70 aid in an amount greater than the district's foundation budget.

32 "Classroom and specialist teachers allotment", the amount allotted within a district's
33 foundation budget for classroom and specialist teachers in any fiscal year. For fiscal year 2017,
34 the classroom and specialist teachers allotment shall be the sum of the following rate
35 calculations; for subsequent fiscal years, it shall be the sum of the following rates annually
36 adjusted by the foundation inflation index:

37 (a) 1,507.26 dollars multiplied by the foundation pre-school enrollment and the
38 foundation half-day kindergarten enrollment; plus

39 (b) 3,014.51 dollars multiplied by the foundation full-day kindergarten enrollment;
40 plus

41 (c) 3,014.47 dollars multiplied by the foundation elementary enrollment; plus

42 (d) 2,652.75 dollars multiplied by the foundation junior high/middle school
43 enrollment; plus

44 (e) 3,901.09 dollars multiplied by the foundation high school enrollment; plus

45 (f) 8,289.83 dollars multiplied by the assumed in-school special education
46 enrollment; plus

47 (g) 6,631.89 dollars multiplied by the foundation vocational enrollment.

48 "Combined effort yield", the sum of a municipality's equalized property valuation
49 multiplied by its uniform property percentage plus its income multiplied by its uniform income
50 percentage.

51 "Commissioner", the commissioner of elementary and secondary education.

52 "Department", the department of elementary and secondary education.

53 "District" or "School district", the school department of a city or town, and a regional
54 school district.

55 "Effort reduction percentage", the percentage of excess effort to be reduced in any given
56 year.

57 "Employee benefits and fixed charges allotment", the amount allotted within a district's
58 foundation budget for employee benefits and fixed charges. For fiscal year 2017, the classroom
59 and specialist teachers allotment shall be the sum of the following rate calculations. For fiscal
60 year 2018, it shall be the sum of the following rates adjusted by the foundation inflation index.
61 For fiscal year 2019 and after, the allotment shall be the employee health insurance rate, as
62 defined in this section multiplied by the number of active employees for whom the district
63 provides health insurance, plus the retired employee health insurance rate, as defined in this
64 section, multiplied by the number of the district's retired employees.

65 (a) 377.28 dollars multiplied by the foundation pre-school enrollment and the
66 foundation half-day kindergarten enrollment; plus

67 (b) 754.52 dollars multiplied by the foundation full-day kindergarten enrollment;
68 plus

69 (c) 754.57 multiplied by the foundation elementary enrollment; plus

70 (d) 717.44 dollars multiplied by foundation junior high/middle school enrollment;
71 plus

72 (e) 689.27 dollars multiplied by the foundation high school enrollment; plus

73 (f) 3,179.22 dollars multiplied by the assumed in-school special education
74 enrollment; plus

75 (g) 1,119.43 dollars multiplied by the foundation vocational enrollment.

76 “Employee health insurance rate”, the average group insurance commission premium for
77 all plans for the 3 previous fiscal years; provided, however, that the group insurance commission
78 shall annually, on or before June 30, provide the department with data necessary for the
79 determination of such rate or any increase thereof.

80 “English language learner enrollment”, the number of students enrolled in English
81 language learners programs established under chapter 71A, including students enrolled in
82 vocational-technical schools

83 “English language learner expanded program increment”, the additional amount allotted
84 within a district’s foundation budget for additional services for English language learners,
85 including those enrolled in vocational-technical schools; provided, that the increment shall be
86 \$2,361 multiplied by the number of English language learners in the district for fiscal year 2017,
87 adjusted annually thereafter by the foundation inflation index.

88 “Enrollment categories”, each student, including students enrolled in special education
89 programs, and students attending a school in another district, pursuant to the provisions of
90 section 12B of chapter 76, who resides in the district and who attends either a public school in
91 that district or a school for which the district of residence pays tuition, shall be placed in one and
92 only one of the following enrollment categories depending on the grade and program to which
93 the student is assigned; provided that English language learners and low income students, as
94 defined by this chapter, shall be placed in one of the following enrollment categories, in addition
95 to being counted for purposes of calculating the English language learners increment, and the
96 low income expanded program increment:

97 (a) “Elementary enrollment”, number of students enrolled in grades one through five and
98 not enrolled in English learner, or vocational programs in a district.

99 (b) “High school enrollment”, the number of students enrolled in grades nine through
100 twelve and not enrolled in English learner, or vocational programs in a district.

101 (c) “Junior high/middle school enrollment”, the number of students enrolled in grades six
102 through eight and not enrolled in English learner, or vocational programs in a district.

103 (d) “Kindergarten enrollment”, the number of students enrolled in kindergarten and not
104 enrolled in English learner, or vocational programs in a district; provided, however, that in any
105 district in which kindergarten students attend school for a full day, the foundation kindergarten
106 enrollment used to calculate the foundation budget amount described in this section shall be two
107 times the kindergarten enrollment number that would otherwise be used for said calculations if
108 said district and all towns responsible for appropriating for said district so request.

109 (e) “Pre-school enrollment”, the number of students enrolled in pre-school programs in a
110 district.

111 (f) “Vocational enrollment”, the number of students enrolled in vocational, education
112 programs or an agricultural school in a district.

113 “Equalized property valuation”, the annual equalized property valuation for a
114 municipality as determined by the department of revenue pursuant to the provisions of sections
115 9, 10 and 10C of chapter 58.

116 "Excess effort", the positive difference, if any, between a municipality's target local
117 contribution and its preliminary contribution.

118 "Foundation aid increment", the positive difference between a district's foundation budget
119 and its required district contribution; provided, that from fiscal years 2019 through 2025,
120 inclusive, both the district foundation budget and the required district contribution shall be
121 calculated based on the implementation schedule agreed to under the provisions of section 5B ½
122 of chapter 29 of the general laws.

123 "Foundation budget", the sum of the administration allotment, instructional leadership
124 allotment, classroom and specialist teachers allotment, other teaching services allotment,
125 professional development allotment, instructional materials, equipment and technology
126 allotment, guidance and psychological allotment, pupil services allotment, operations and
127 maintenance allotment, employee benefits and fixed charges allotment and tuitioned-out special
128 education tuition allotment, plus the English language learners allotment and the low income
129 student expanded program allotments. The base year for calculating the foundation budget shall
130 be fiscal year 2017. The base year foundation budget shall be calculated according to the
131 formulas in this section using foundation enrollment as described in this section. For fiscal years
132 thereafter, the foundation budget shall be the base year foundation budget, as adjusted for
133 enrollment and for inflation as set forth in section three of this chapter.

134 "Foundation enrollment", the student enrollment of a district in any fiscal year. The
135 foundation enrollment is defined as the sum of foundation elementary, junior high/middle school,
136 high school, and vocational enrollment plus one-half the sum of foundation pre-school and
137 kindergarten enrollment, including students enrolled in the program for the elimination of racial
138 imbalance under section 12A of chapter 76. By March 1 of each calendar year, the department
139 shall certify the foundation enrollment for the next fiscal year as the actual enrollment as
140 reported the previous October.

141 "Foundation inflation index", in fiscal year 2017, the foundation inflation index shall
142 equal 1.000. In fiscal year 2018 and in each fiscal year thereafter, the foundation inflation index
143 shall equal the prior year's foundation inflation index multiplied by the minimum of (a) the ratio
144 of the value of the implicit price deflator for state and local government purchases in the first
145 quarter of the prior fiscal year to its value in the first quarter of the year 2 years prior, or (b)
146 1.045.

147 "General revenue sharing aid", the amount of assistance from the commonwealth to be
148 received by a city or town in a fiscal year from the following local aid programs: (1) payments in
149 lieu of taxes for state-owned lands distributed pursuant to section 17 of chapter 58; (2) the
150 distribution to cities and towns of the balance of the State Lottery Fund in accordance with the
151 provisions of clause (c) of section 35 of chapter 10; and (3) additional assistance, so-called, as
152 distributed pursuant to section 18E of chapter 58.

153 "Guidance and psychological allotment", the amount allotted within a district's
154 foundation budget for guidance and psychological services. For fiscal year 2017, the classroom
155 and specialist teachers allotment shall be the sum of the following rate calculations; for
156 subsequent fiscal years, it shall be the sum of the following rates annually adjusted by the
157 foundation inflation index:

158 (a) 109.66 dollars multiplied by the foundation pre-school enrollment and the
159 foundation half-day kindergarten enrollment; plus

160 (b) 219.36 dollars multiplied by the foundation full-day kindergarten enrollment
161 and the foundation elementary enrollment; plus

162 (c) 291.99 dollars multiplied by foundation junior high/middle school enrollment;
163 plus

164 (d) 366.02 dollars multiplied by the foundation high school enrollment and the
165 foundation vocational enrollment.

166 "Income", total income from all sources as reported by residents of a municipality on
167 income tax returns submitted to the Massachusetts department of revenue for the most recent
168 available calendar year.

169 "Income percentage", the uniform percentage of each municipality's total income which
170 yields one-half of the statewide total of combined effort yields in any fiscal year.

171 "Instructional leadership allotment", the amounts allotted within a district's foundation
172 budget for instructional leadership in any fiscal year. For fiscal year 2017, the classroom and
173 specialist teachers allotment shall be the sum of the following rate calculations; for subsequent
174 fiscal years, it shall be the sum of the following rates annually adjusted by the foundation
175 inflation index:

176 (a) 328.72 dollars multiplied by the foundation pre-school enrollment and the
177 foundation half-day kindergarten enrollment; plus

178 (b) 657.42 dollars multiplied by the foundation full-day kindergarten enrollment, the
179 foundation elementary enrollment, the foundation junior high/middle school enrollment, the
180 foundation high school enrollment, and the foundation vocational enrollment.

181 "Instructional materials, equipment and technology allotment", the amount allotted within
182 a district's foundation budget for instructional materials, equipment and technology. For fiscal

183 year 2017, the classroom and specialist teachers allotment shall be the sum of the following rate
184 calculations; for subsequent fiscal years, it shall be the sum of the following rates annually
185 adjusted by the foundation inflation index:

186 (a) 218.16 dollars multiplied by the foundation pre-school enrollment, and the
187 foundation half-day kindergarten enrollment; plus

188 (b) 436.31 dollars multiplied by the foundation full-day kindergarten enrollment,
189 the foundation elementary enrollment, and the foundation junior high/middle school enrollment;
190 plus

191 (c) 698.10 dollars multiplied by the foundation high school enrollment; plus

192 (d) 349.05 dollars multiplied by the assumed in-school special education
193 enrollment; plus

194 (e) 1,221.66 dollars multiplied by the foundation vocational enrollment.

195 "Low-income enrollment", the number of children attending school in a district regardless
196 of residence or tuition-paying status, with a family income at or below 185% of the federal
197 poverty level. A low-income child or student is a child who meets these eligibility standards. In
198 determining the total number of low-income students, the department shall use the preceding
199 year's actual number of low-income elementary, junior high/middle school, high school,
200 bilingual, and vocational students, and one-half the preceding year's actual number of low-
201 income kindergarten and pre-school students.

202 "Low-income expanded program increment", the amount allotted within a district's
203 foundation budget for each student with a family income at or below 185 per cent of the federal

204 poverty level; provided, however, that the department shall rank each district and divide the
205 districts into septiles; provided further, that each district shall be assigned a low-income septile
206 based on its low income percentage which shall be calculated as its number of low-income
207 students divided by the total foundation enrollment; provided further, that each septile shall be
208 assigned a low-income rate where the rate for the lowest percentage septile shall be \$3,474 and
209 each subsequent septile shall increase by equal amounts up to the highest percentage septile rate
210 of \$8,179; and provided further, that beginning in fiscal year 2019, the rates for each septile shall
211 be annually adjusted according to the foundation inflation index.

212 "Minimum aid", the positive difference between a district's foundation aid, and the
213 product of twenty-five dollars multiplied by the district foundation enrollment.

214 "Maximum local contribution", 82.5 per cent of a municipality's foundation budget.

215 "Municipal foundation budget", a city or town's local district's foundation budget plus the
216 sum of its share of the foundation budgets at regional districts or at agricultural schools of which
217 it is a member. A city or town's share of the foundation budget at regional districts or at
218 agricultural schools shall be based upon its share of the total foundation enrollment from all
219 member municipalities at those districts and schools.

220 "Municipal revenue growth factor", the change in local general revenues calculated by
221 subtracting one from the quotient calculated by dividing the sum of (1) the maximum levy for the
222 fiscal year estimated by multiplying the levy limit of the prior fiscal year by a factor equal to one
223 hundred two and one-half per cent plus the average of the percentage increases in the levy limit
224 due to new growth adjustments over the last three available years as certified by the department
225 of revenue or as otherwise estimated by the division of local services of the department of

226 revenue where it appears that a municipality may not be entitled to increase its minimum levy
227 limit by two and one-half per cent; provided, however, that if the highest percentage during such
228 three years exceeds the average of the other two years' percentages by more than two percentage
229 points, then the lowest three of the last four years shall be used for such calculation; (2) the
230 amount of general revenue sharing aid for the fiscal year; and (3) other budgeted recurring
231 receipts not including user fees or other charges determined by said division of local services to
232 be associated with the provision of specific municipal services for the prior fiscal year, by the
233 sum of (1) the actual levy limit for the prior fiscal year; (2) the amount of general revenue
234 sharing aid received for the prior fiscal year; and (3) other recurring receipts not including user
235 fees or other charges determined by such division of municipal services to be associated with the
236 provision of specific municipal services budgeted by the municipality for the fiscal year
237 preceding the prior fiscal year, if any; provided, however, that for the purposes of this
238 calculation, the levy limit shall exclude any amounts generated by overrides applicable to any
239 year after the fiscal year ending June 30 1993; provided, further, that in the absence of an actual
240 levy limit for the prior fiscal year, the actual levy limit for the prior fiscal year shall be estimated
241 by multiplying the actual levy limit of the fiscal year preceding the prior fiscal year by a factor
242 equal to one hundred two and one-half per cent plus the average of the percentage increases in
243 the levy limit due to new growth as specified above; and, provided, further, that in making any of
244 the calculations required by this definition, said division of local services may substitute more
245 current information or such other information as would produce a more accurate estimate of the
246 change in a municipality's general local revenues and the department shall use such growth factor
247 to calculate preliminary contribution, required local contribution and any other factor that
248 directly or indirectly uses the municipal growth factor.

249 "Net school spending", the total amount spent for the support of public education,
250 including teacher salary deferrals and tuition payments for children residing in the district who
251 attend a school in another district or other approved facility, determined without regard to
252 whether such amounts are regularly charged to school or non-school accounts by the
253 municipality for accounting purposes; provided, however, that net school spending shall not
254 include any spending for long term debt service, and shall not include spending for school
255 lunches, or student transportation. Net school spending shall also not include tuition revenue or
256 revenue from activity, admission, other charges or any other revenue attributable to public
257 education. Such revenue will be made available to the school district which generated such
258 revenue in addition to any financial resources made available by municipalities or state
259 assistance. The department in consultation with the department of revenue shall promulgate
260 regulations to ensure a uniform method of determining which municipal expenditures are
261 appropriated for the support of public education and which revenues are attributable to public
262 education in accordance with this section. The regulations shall include provisions for resolving
263 disputes which may arise between municipal and school officials.

264 "Operations and maintenance allotment", the amount allotted within a district's
265 foundation budget for operations and maintenance. For fiscal year 2017, the classroom and
266 specialist teachers allotment shall be the sum of the following rate calculations; for subsequent
267 fiscal years, it shall be the sum of the following rates annually adjusted by the foundation
268 inflation index:

269 (a) 418.55 dollars multiplied by the foundation pre-school enrollment and the foundation
270 half-day kindergarten enrollment; plus

271 (b) 837.09 dollars multiplied by the foundation full-day kindergarten enrollment and the
272 foundation elementary enrollment; plus

273 (c) 907.52 dollars multiplied by foundation junior high/middle school enrollment; plus

274 (d) 879.93 dollars multiplied by the foundation high school enrollment; plus

275 (e) 2,806.32 dollars multiplied by the assumed in-school special education enrollment;

276 plus

277 (f) 1,646.82 dollars multiplied by the foundation vocational enrollment.

278 “Other teaching services allotment”, the amount allotted within a district's foundation
279 budget for other teaching services. For fiscal year 2017, the classroom and specialist teachers
280 allotment shall be the sum of the following rate calculations; for subsequent fiscal years, it shall
281 be the sum of the following rates annually adjusted by the foundation inflation index:

282 (a) 386.57 dollars multiplied by the foundation pre-school enrollment and the foundation
283 half-day kindergarten enrollment; plus

284 (b) 773.16 dollars multiplied by the foundation full-day kindergarten enrollment and the
285 foundation elementary enrollment; plus

286 (c) 556.55 dollars multiplied by the foundation junior high/middle school enrollment;
287 plus

288 (d) 463.34 dollars multiplied by the foundation high school enrollment and the
289 foundation vocational enrollment; plus

290 (e) 7,740.10 dollars multiplied by the assumed in-school special education enrollment;
291 plus

292 (f) 38.38 dollars multiplied by the assumed tuitioned-out special education enrollment.

293 “Preliminary contribution”, the product of (a) a municipality's required local contribution
294 for the prior fiscal year, and (b) 1 plus the municipal revenue growth factor for the current year;
295 provided, that if a municipality's preliminary local contribution as a percentage of its foundation
296 budget is more than 2.5 percentage points lower than the target local share, the preliminary
297 contribution shall be recalculated using the municipality's revenue growth factor plus 1
298 percentage point; and if a municipality's preliminary contribution as a percentage of its
299 foundation budget is more than 7.5 percentage points lower than the target local share, the
300 preliminary contribution shall be recalculated using the municipality's revenue growth factor plus
301 2 percentage points.”

302 “Professional development allotment”, the amount allotted within a district's foundation
303 budget for professional development. For fiscal year 2017, the classroom and specialist teachers
304 allotment shall be the sum of the following rate calculations; for subsequent fiscal years, it shall
305 be the sum of the following rates annually adjusted by the foundation inflation index:

306 (a) 59.61 dollars multiplied by the foundation pre-school enrollment and the foundation
307 half-day kindergarten enrollment; plus

308 (b) 119.28 dollars multiplied by the foundation full-day kindergarten enrollment; plus

309 (c) 119.30 dollars multiplied by the foundation elementary enrollment; plus

310 (d) 129.32 dollars multiplied by the foundation junior high/middle school enrollment;
311 plus

312 (e) 125.39 dollars multiplied by the foundation high school enrollment; plus

313 (f) 399.90 dollars multiplied by the assumed in-school special education enrollment;

314 (g) 207.31 dollars multiplied by the foundation vocational enrollment.

315 "Property percentage", the uniform percentage of each municipality's total equalized
316 property valuation which yields one-half of the statewide total of combined effort yields in any
317 fiscal year.

318 "Pupil services allotment", the amount allotted within a district's foundation budget for
319 pupil services. For fiscal year 2017, the classroom and specialist teachers allotment shall be the
320 sum of the following rate calculations; for subsequent fiscal years, it shall be the sum of the
321 following rates annually adjusted by the foundation inflation index:

322 (a) 43.62 dollars multiplied by the foundation pre-school enrollment and the foundation
323 half-day kindergarten enrollment; plus

324 (b) 87.27 dollars multiplied by the foundation full-day kindergarten enrollment; plus

325 (c) 130.90 dollars multiplied by the foundation elementary enrollment and the foundation
326 English learner, full-day enrollment; plus

327 (d) 213.81 dollars multiplied by foundation junior high/middle school enrollment; plus

328 (e) 493.03 dollars multiplied by the foundation high school enrollment and the foundation
329 vocational enrollment.

330 "Required district contribution", a local district's share of the municipality's required local
331 contribution or, in a regional district or agricultural school, the sum of member municipalities'
332 required local contributions apportioned to that regional district or agricultural school.

333 "Required local contribution", the municipality's preliminary contribution minus the
334 product of its excess effort, if any, multiplied by the effort reduction percentage. The required
335 municipal contribution shall be apportioned to each district to which the municipality belongs, in
336 proportion to the municipality's foundation budget at those districts.

337 "Retired employee", an employee of a school district who retired while employed by that
338 district and who receives health insurance benefits through that district.

339 "Retired employee health insurance rate", the average group insurance commission
340 premium for all retiree plans for the 3 previous fiscal years; provided, however, that the group
341 insurance commission shall annually, on or before June 30, provide the department with data
342 necessary for the determination of such rate or any increase thereof.

343 "Statewide target local share", the sum of all municipalities' target local contribution, as a
344 percentage of the sum of all municipal foundation budgets, which shall be set at 60 per cent.

345 "Target aid share", for a local district, 100 per cent minus the municipality's target local
346 share. For a regional district or agricultural school, the target aid share shall be 100 per cent
347 minus each member municipality's target local share, multiplied by each municipality's share of
348 the regional district's enrollment, summed for all members of the district.

349 "Target local contribution", the lesser of a municipality's combined effort yield and its
350 maximum local contribution.

351 "Target local share", a municipality's target local contribution as a percentage of its
352 municipal foundation budget.

353 "Tuitioned-out special education allotment", the product of the tuitioned-out special
354 education rate and the assumed tuitioned-out special education enrollment.

355 "Tuitioned-out special education rate", 3 times the statewide foundation budget per-pupil
356 amount.

357 "Wage adjustment factor", an adjusted difference between the average annual wage for
358 all jobs in the labor market area in which a municipality is located and the average annual wage
359 in the commonwealth. Average annual wage figures shall be published annually by the division
360 of employment and training. The wage adjustment factor shall be the sum of one plus a fraction,
361 the numerator of which shall be the product of one-third and the difference resulting from
362 subtracting the average annual wage in the commonwealth from the average annual wage of the
363 community; and the denominator of which shall be the average annual wage in the
364 commonwealth.

365 For the purposes of this section, the average annual wage of the community shall be the
366 sum of:

367 (a) eight-tenths multiplied by the average annual wage for all jobs in the labor market
368 area in which the municipality is located; plus

369 (b) two-tenths multiplied by the average annual wage of the municipality; provided,
370 however, that in any community the wage adjustment factor shall not be less than one.

371 SECTION 36. Section 3 of said chapter 70, as so appearing, is hereby amended by
372 striking out lines 15 through 19 and inserting in place thereof the following:-

373 The factors to be inflated by the foundation inflation index shall be the monetary values
374 for the administration allotment, the instructional leadership allotment, the classroom and
375 specialist teachers allotment, the other teaching services allotment, the professional development
376 allotment, the instructional materials, equipment, and technology allotment, the guidance and
377 psychological allotment, the pupil services allotment and the operations and maintenance
378 allotment, and the English language learner and low income student expanded program
379 allotments.

380 SECTION 37. Section 5 of said chapter 70 is hereby repealed.

381 SECTION 38. Section 6 of said chapter 70, as so appearing, is hereby amended by
382 striking out, in line 6, the word "minimum".

383 SECTION 39. Said section 6 of said chapter 70 is hereby further amended by striking
384 out, in line 8, the words "but not including equity aid".

385 SECTION 40. Sections 7 and 9 of said chapter 70 are hereby repealed.

386 SECTION 41. Chapter 70, as so appearing, is hereby amended by striking out section 10,
387 and inserting in place thereof the following:-

388 Subject to appropriation, the amount of state aid to be paid to each municipality in each
389 fiscal year under this chapter shall be the sum of the base aid, the foundation aid increment, and
390 the minimum aid to which the municipality may be entitled under the provisions of this
391 chapter."; and

392 in section 91, by striking out, in line 1132, the word “reportto” and inserting in place
393 thereof the following words:- “report to”; and

394 in section 98, by inserting after second sentence the following sentence:- The department
395 of elementary and secondary education shall maintain the data required under clauses (1) to (5),
396 inclusive, and shall provide the data to the department of the state auditor, as requested.