

124th Legislature LD 1671 HP1183

Appropriations And Financial Affairs

An Act Making Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2010 and June 30, 2011. Presented by Representative CAIN of Orono. Public Hearings 01/07/10, 01/08/10, 01/11,10, 01/12/10, 01,13,10, 01/14/10. OTP-AM Accepted 03/30/10. Amended by: CA H-790, HC/CA H-798. Financial Disposition: Emergency Enacted, Signed 03/31/10, PUBLIC LAWS, Chapter 571.

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

SECOND REGULAR SESSION
January 6, 2010 to April 12, 2010

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 12, 2010

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2010

(3) If the 10-year registrant was committed under Title 15, section 103 prior to September 18, 1999, the 10-year period is treated as having begun at the time of discharge or conditional release under Title 15, section 104-A.

(4) If the 10-year ~~registrant's~~ registrant was sentenced prior to September 18, 1999 and the person's duty to register has not yet been triggered, the 10-year period commences upon registration by the person in compliance with section 11222, subsection 1-A, paragraph A, B or C.

(5) If the 10-year registrant was sentenced on or after September 18, 1999, the 10-year period commences from the date the person in fact initially registers.

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

Effective March 30, 2010.

CHAPTER 571

H.P. 1183 - L.D. 1671

An Act Making Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2010 and June 30, 2011

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 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; 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:

PART A

Sec. A-1. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Accident - Sickness - Health Insurance 0455

Initiative: Reduces funding by freezing one vacant part-time Accountant I position until January 1, 2011.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$13,139)	(\$14,350)
All Other	(\$2,900)	(\$2,900)
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GENERAL FUND TOTAL	(\$16,039)	(\$17,250)

Bureau of Revenue Services Fund 0885

Initiative: Reduces funding that will not be expended during the 2010-2011 biennium.

BUREAU OF REVENUE SERVICES FUND	2009-10	2010-11
All Other	(\$150,880)	(\$151,720)
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BUREAU OF REVENUE SERVICES FUND TOTAL	(\$150,880)	(\$151,720)

Capital Construction/Repairs/Improvements - Administration 0059

Initiative: Reduces funding for repairs in state-owned facilities.

GENERAL FUND	2009-10	2010-11
All Other	(\$21,201)	\$0
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GENERAL FUND TOTAL	(\$21,201)	\$0

Debt Service - Government Facilities Authority 0893

Initiative: Deappropriates one-time savings for debt service in fiscal year 2010-11 due to a refunding of bonds by the Maine Government Facilities Authority in accordance with the Maine Revised Statutes, Title 4, section 1610.

GENERAL FUND	2009-10	2010-11
All Other	\$0	(\$651,053)
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GENERAL FUND TOTAL	\$0	(\$651,053)

Departments and Agencies - Statewide 0016

carry forward and shall establish a separate technology account in the consolidated information technology program within each agency to consolidate the funding for those accounts containing information technology funds that currently carry forward.

PART D

Sec. D-1. Transfer; unexpended funds; Baxter Compensation Authority account. Notwithstanding any other provision of law, the State Controller shall transfer \$2,570 in unexpended funds from the Baxter Compensation Authority, Other Special Revenue Funds account within the Baxter Compensation Authority to General Fund unappropriated surplus at the close of fiscal year 2009-10.

PART E

Sec. E-1. 20-A MRSA §1305-A, as amended by PL 2005, c. 12, Pt. WW, §1 and c. 683, Pt. A, §21, is repealed.

Sec. E-2. 20-A MRSA §1305-B, as amended by PL 2005, c. 683, Pt. A, §22, is repealed.

Sec. E-3. 20-A MRSA §1481-A, sub-§2-A is enacted to read:

2-A. Reformulated school administrative district cost-sharing. For those school administrative districts recreated as regional school units pursuant to Public Law 2007, chapter 240, Part XXXX, section 36, subsection 12 as amended by chapter 668, methods of cost-sharing and amendments of the cost-sharing formula must be in accordance with section 1301.

Sec. E-4. 20-A MRSA §1486, sub-§3, as amended by PL 2009, c. 415, Pt. B, §§7 and 8, is further amended to read:

3. Budget validation referendum voting. The method of calling and voting at a budget validation referendum is as provided in sections 1502 and 1503 and 1504, except as otherwise provided in this subsection or as is inconsistent with other requirements of this section.

A. A public hearing is not required before the vote.

C. The warrant and absentee ballots must be delivered to the municipal clerk no later than the day after the date of the regional school unit budget meeting.

D. Absentee ballots received by the municipal clerk may not be processed or counted unless received on the day after the conclusion of the regional school unit budget meeting and before the close of the polls.

E. All envelopes containing absentee ballots received before the day after the conclusion of the regional school unit budget meeting or after the

close of the polls must be marked "rejected" by the municipal clerk.

F. The article to be voted on must be in the following form:

(1) "Do you favor approving the (name of regional school unit) budget for the upcoming school year that was adopted at the latest (name of regional school unit) budget meeting?"

Yes No"

Sec. E-5. 20-A MRSA §1701, sub-§11, ¶B, as amended by PL 1999, c. 710, §9, is further amended to read:

B. Unless authorized by the voters or ~~except as provided in section 1701-A, subsection 5,~~ the district school committee may not transfer funds between line item categories.

Sec. E-6. 20-A MRSA §1701-A, as amended by PL 2005, c. 12, Pt. WW, §2, is repealed.

Sec. E-7. 20-A MRSA §1701-B, as amended by PL 2005, c. 2, Pt. D, §14 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is repealed.

Sec. E-8. 20-A MRSA §5806, sub-§2, as amended by PL 2009, c. 213, Pt. C, §2, is further amended to read:

2. Maximum allowable tuition. The maximum allowable tuition charged to a school administrative unit by a private school is the rate established under subsection 1 or the state average per public secondary student cost as adjusted, whichever is lower, plus an insured value factor. For school year 2009-2010 only, the maximum allowable tuition rate, prior to the addition of the insured value factor, must be reduced by 2%; the insured value factor must be based on this reduced rate. The insured value factor is computed by dividing 5% of the insured value of school buildings and equipment by the average number of pupils enrolled in the school on October 1st and April 1st of the year immediately before the school year for which the tuition charge is computed. For the ~~2008-09~~ 2008-2009 school year only, a school administrative unit is not required to pay an insured value factor greater than 5% of the school's tuition rate per student, unless the legislative body of the school administrative unit votes to authorize its school board to pay a higher insured value factor that is no greater than 10% of the school's tuition rate per student. Beginning in school year ~~2009-10~~ 2009-2010, a school administrative unit is not required to pay an insured value factor greater than 5% of the school's tuition rate or \$500 per student, whichever is less, unless the legislative body of the school administrative unit votes to authorize its school board to pay a higher insured value factor that is no greater than 10% of the school's tuition rate per student.

Sec. E-9. 20-A MRSA §6051, sub-§1, ¶E, as amended by PL 2005, c. 683, Pt. A, §24, is further amended to read:

E. A determination as to whether the school administrative unit has complied with applicable provisions of the Essential Programs and Services Funding Act; ~~and~~

Sec. E-10. 20-A MRSA §6051, sub-§1, ¶F, as enacted by PL 1985, c. 797, §36, is amended to read:

F. Any other information ~~which~~ that the commissioner may require;

Sec. E-11. 20-A MRSA §6051, sub-§1, ¶G is enacted to read:

G. A determination of whether the school administrative unit has complied with transfer limitations between budget cost centers pursuant to section 1485, subsection 4;

Sec. E-12. 20-A MRSA §6051, sub-§1, ¶H is enacted to read:

H. A determination of whether the school administrative unit has complied with budget content requirements pursuant to section 15693, subsection 1 and cost center summary budget format requirements pursuant to sections 1305-C, 1485, 1701-C and 2307; and

Sec. E-13. 20-A MRSA §6051, sub-§1, ¶I is enacted to read:

I. A determination of whether the school administrative unit has exceeded its authority to expend funds, as provided by the total budget summary article.

Sec. E-14. 20-A MRSA §6051, sub-§7 is enacted to read:

7. Exception. If a municipal school administrative unit meets all of the following eligibility criteria, then the municipal school administrative unit may file the annual municipal audit or audits in lieu of the annual audit required by this section:

A. The municipal school administrative unit does not operate a school or schools;

B. A school administrative unit audit is not necessary to meet federal audit requirements;

C. The municipal school administrative unit files the municipal audit or audits that include the fiscal year specified in subsection 2; and

D. The municipal school administrative unit is not a member of a school administrative district, community school district, regional school unit or alternative organizational structure.

Sec. E-15. 20-A MRSA §6051, sub-§8 is enacted to read:

8. Corrective action plan. The commissioner shall review the audits of the school administrative unit and determine if the school administrative unit should develop a corrective action plan for any audit issues specified in the annual audit. The corrective action plan must address those audit findings and management comments and recommendations that have been identified by the commissioner, and the plan must be filed within the timelines established by the commissioner. The school administrative unit shall provide assurances to the commissioner that the school administrative unit has implemented its corrective action plan within the timelines established by the commissioner. If the school administrative unit has not met the conditions for submitting a corrective action plan or providing assurances that the school administrative unit has implemented the plan, the commissioner may withhold monthly subsidy payments from the school administrative unit in accordance with section 6801-A.

Sec. E-16. 20-A MRSA §15005, sub-§3, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

3. Return required. An apportionment provided in this chapter, chapters 109, ~~205,~~ 505 and ~~605~~ 606-B, and section 13601, and Title 20, section 3457, 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.

Sec. E-17. 20-A MRSA §15671, sub-§7, ¶A, as amended by PL 2009, c. 213, Pt. C, §3, is further amended to read:

A. The base total calculated pursuant to section 15683, subsection 2 is subject to the following annual targets.

- (1) For fiscal year 2005-06, the target is 84%.
- (2) For fiscal year 2006-07, the target is 90%.
- (3) For fiscal year 2007-08, the target is 95%.
- (4) For fiscal year 2008-09, the target is 97%.
- (5) For fiscal year 2009-10, the target is 97%.
- (6) For fiscal year 2010-11 ~~and succeeding years,~~ the target is ~~100%~~ 97%.
- (7) For fiscal year 2011-12 and succeeding years, the target is 100%.

Sec. E-18. 20-A MRSA §15671, sub-§7, ¶B, as amended by PL 2009, c. 1, Pt. C, §1 and c. 213,

Pt. C, §4, is repealed and the following enacted in its place:

B. The annual targets for the state share percentage of the statewide adjusted total cost of the components of essential programs and services are as follows.

(1) For fiscal year 2005-06, the target is 52.6%.

(2) For fiscal year 2006-07, the target is 53.86%.

(3) For fiscal year 2007-08, the target is 53.51%.

(4) For fiscal year 2008-09, the target is 52.52%.

(5) For fiscal year 2009-10, the target is 48.93%.

(6) For fiscal year 2010-11, the target is 46%.

(7) For fiscal year 2011-12 and succeeding years, the target is 55%.

¶B, Sec. E-19. 20-A MRSA §15671-A, sub-§2, as amended by PL 2009, c. 213, Pt. C, §5, is further amended to read:

B. For property tax years beginning on or after April 1, 2005, the commissioner shall calculate the full-value education mill rate that is required to raise the statewide total local share. The full-value education mill rate is calculated for each fiscal year by dividing the applicable statewide total local share by the applicable statewide valuation. The full-value education mill rate must decline over the period from fiscal year 2005-06 to fiscal year 2008-09 and may not exceed 9.0 mills in fiscal year 2005-06 and may not exceed 8.0 mills in fiscal year 2008-09. The full-value education mill rate must be applied according to section 15688, subsection 3-A, paragraph A to determine a municipality's local cost share expectation. Full-value education mill rates must be derived according to the following schedule.

(1) For the 2005 property tax year, the full-value education mill rate is the amount necessary to result in a 47.4% statewide total local share in fiscal year 2005-06.

(2) For the 2006 property tax year, the full-value education mill rate is the amount necessary to result in a 46.14% statewide total local share in fiscal year 2006-07.

(3) For the 2007 property tax year, the full-value education mill rate is the amount necessary to result in a 45.56% statewide total local share in fiscal year 2007-08.

(4) For the 2008 property tax year, the full-value education mill rate is the amount necessary to result in a 45.99% statewide total local share in fiscal year 2008-09.

(4-A) For the 2009 property tax year, the full-value education mill rate is the amount necessary to result in a ~~49.05%~~ 51.07% statewide total local share in fiscal year 2009-10.

(4-B) For the 2010 property tax year ~~and subsequent tax years~~, the full-value education mill rate is the amount necessary to result in a ~~45.0%~~ 54.0% statewide total local share in fiscal year 2010-11 ~~and after~~.

(4-C) For the 2011 property tax year ~~and subsequent tax years~~, the full-value education mill rate is the amount necessary to result in a 45.0% statewide total local share in fiscal year 2011-12 ~~and after~~.

¶F, Sec. E-20. 20-A MRSA §15683, sub-§1, as amended by PL 2005, c. 519, Pt. AAAA, §10, is further amended to read:

F. An isolated small unit adjustment. A school administrative unit is eligible for an isolated small school adjustment when the unit meets the size and distance criteria as established by the commissioner. The amount of the adjustment is the result of adjusting the necessary student-to-staff ratios determined in section 15679, subsection 2, the per-pupil amount for operation and maintenance of plant in section 15680, subsection 1, paragraph B or other essential programs and services components in chapter 606-B, as recommended by the commissioner. The isolated small school adjustment must be applied to discrete school buildings that meet the criteria for the adjustment. The adjustment is not applicable to sections, wings or other parts of a building that are dedicated to certain grade spans.

¶A, Sec. E-21. 20-A MRSA §15689, sub-§1, as repealed and replaced by PL 2005, c. 2, Pt. D, §58 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is amended to read:

A. The sum of the following calculations:

(1) Multiplying 5% of each school administrative unit's essential programs and services per-pupil elementary rate by the average number of resident kindergarten to grade 8 pupils as determined under section 15674, subsection 1, paragraph C, subparagraph (1); and

(2) Multiplying 5% of each school administrative unit's essential programs and services

per-pupil secondary rate by the average number of resident grade 9 to grade 12 pupils as determined under section 15674, subsection 1, paragraph C, subparagraph (1); and.

The 5% factor in subparagraphs (1) and (2) must be replaced by: 4% for the 2009-10 funding year including funds provided under Title XIV of the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009; 3% for the 2010-11 funding year including funds provided under Title XIV of the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009; and 3% for the 2011-12 funding year and subsequent years; and

Sec. E-22. 20-A MRSA §15689, sub-§1, ¶B, as amended by PL 2009, c. 1, Pt. C, §2 and c. 213, Pt. C, §8, is repealed and the following enacted in its place:

B. The school administrative unit's special education costs as calculated pursuant to section 15681-A, subsection 2 multiplied by the following transition percentages:

- (1) In fiscal year 2005-06, 84%;
- (2) In fiscal year 2006-07, 84%;
- (3) In fiscal year 2007-08, 84%;
- (4) In fiscal year 2008-09, 45%;
- (5) In fiscal year 2009-10, 40% including funds provided under Title XIV of the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009;
- (6) In fiscal year 2010-11, 35% including funds provided under Title XIV of the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009; and
- (7) In fiscal year 2011-12 and succeeding years, 30%.

Sec. E-23. 20-A MRSA §15689, sub-§2, as amended by PL 2007, c. 466, Pt. B, §16, is further amended to read:

2. Adjustment for debt service. Each school administrative unit may receive an adjustment for a debt service determined as follows.

A. A school administrative unit is eligible for this adjustment under the following conditions.

- (1) The school administrative unit's local share results in a full-value education mill rate less than the local cost share expectation as described in section 15671-A through the 2009-10 fiscal year. Beginning in fiscal year 2010-11 and in subsequent fiscal years, the school administrative unit's debt service allocation must include principal and interest

payments as defined in section 15672, subsection 2-A, paragraph A.

(2) The school administrative unit has debt service costs defined under section 15672, subsection 2-A that have been placed on the state board's priority list by January 2005.

(3) Beginning in fiscal year 2010-11 and in subsequent years, the school administrative unit's total debt service costs less the local share amount in paragraph B, subparagraph (2), division (b) is greater than the current state share of the total allocation.

B. The amount of the adjustment is the difference, but not less than zero, between the state share of the total allocation under this chapter and the amount computed as follows.

(2) Beginning July 1, 2007, the school administrative unit's state share of the total allocation if the local share was the sum of the following:

- (a) The local share amount for the school administrative unit calculated as the lesser of the total allocation excluding debt service costs and the school administrative unit's fiscal capacity multiplied by the mill rate expectation established in section 15671-A less the debt service adjustment mill rate defined in section 15672, subsection 2-B; and
- (b) The local share amount for the school administrative unit calculated as the lesser of the debt service costs and the school administrative unit's fiscal capacity multiplied by the debt service adjustment mill rate defined in section 15672, subsection 2-B.

Sec. E-24. 20-A MRSA §15689-B, sub-§4, as enacted by PL 2005, c. 2, Pt. D, §61 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is amended to read:

4. Appeals. A school board may appeal the computation of state subsidy for the school administrative unit to the state board in writing within 30 days of the date of the initial notification of the computed amount of the component that is the subject of this appeal. The state board shall review the appeal and make an adjustment if in its judgment an adjustment is justified. The state board's decision is final as to facts supported by the record of the appeal.

Sec. E-25. 20-A MRSA §15690, sub-§1, ¶D is enacted to read:

D. Beginning in fiscal year 2010-11, in any fiscal year in which the sum of the State's contribution toward the cost of the components of essential

programs and services, exclusive of federal funds that are provided and accounted for in the cost of the components of essential programs and services, plus any federal stimulus funds applied to the State's contribution, falls below the State's target of 55% of the cost of the components of essential programs and services, the commissioner shall calculate the percentage of the State's 55% share that is funded by state appropriations and federal stimulus funds and, notwithstanding any other provision of this paragraph, a school administrative unit that raises at least the same percentage of its required local contribution to the total cost of funding public education from kindergarten to grade 12, including state-funded debt service, as the State's contribution plus federal stimulus funds toward its 55% share of the cost of the components of essential programs and services may not have the amount of its state subsidy limited or reduced under paragraph C.

This paragraph is repealed June 30, 2012.

Sec. E-26. 20-A MRSA §15690, sub-§2, as amended by PL 2005, c. 12, Pt. WW, §6 and affected by §18, is further amended to read:

2. Non-state-funded debt service. For a school administrative unit's indebtedness previously approved by its legislative body for non-state-funded major capital school construction projects or non-state-funded portions of major capital school construction projects ~~and minor capital projects~~, the legislative body of each school administrative unit may vote to raise and appropriate an amount up to the municipality's or district's annual payments for non-state-funded debt service.

A. An article in substantially the following form must be used when a school administrative unit is considering the appropriation for debt service allocation for non-state-funded school construction projects or non-state-funded portions of school construction projects ~~and minor capital projects~~.

(1) "Article: To see what sum the (municipality or district) will raise and appropriate for the annual payments on debt service previously approved by the legislative body for non-state-funded school construction projects; ~~or non-state-funded portions of school construction projects and minor capital projects~~ in addition to the funds appropriated as the local share of the school administrative unit's contribution to the total cost of funding public education from kindergarten to grade 12. (Recommend \$.....)"

(2) The following statement must accompany the article in subparagraph (1). "Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on

the (municipality's or district's) long-term debt for major capital school construction projects ~~and minor capital renovation projects~~ that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters or other legislative body."

Sec. E-27. 20-A MRSA §15693, sub-§3, ¶B, as enacted by PL 2005, c. 2, Pt. D, §62 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is amended to read:

B. The format of the school budget may be determined in accordance with section ~~1306~~ 1485.

Sec. E-28. 20-A MRSA §15694, as enacted by PL 2005, c. 2, Pt. D, §62 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is amended to read:

§15694. Actions on budget

The following provisions apply to approving a school budget under this chapter.

1. Checklist required. Prior to a vote on articles dealing with school appropriations, ~~the moderator of a regular or special school budget meeting shall require~~ the clerk or secretary ~~to~~ shall make a checklist of the registered voters ~~present~~. The number of voters listed on the checklist is conclusive evidence of the number ~~present at participating in the meeting vote~~.

2. Reconsideration. Notwithstanding any law to the contrary, in school administrative units where the school budget is finally approved by the voters, a special budget ~~meeting vote~~ to reconsider action taken on the budget may be called only as follows.

A. The ~~meeting reconsideration vote~~ must be held within 30 days of the regular budget ~~meeting vote~~ at which the budget was finally approved ~~in accordance with section 2307 or chapter 103-A~~.

B. In a regional school unit, school administrative district or community school district, the ~~meeting reconsideration vote~~ must be called by the school board or as follows.

(1) A petition containing a number of signatures of legal voters in the member municipalities of the school administrative unit equalling at least 10% of the number of voters who voted in the last gubernatorial election in member municipalities of the school administrative unit, or 100 voters, whichever is less, and specifying the article or articles to be reconsidered must be presented to the school board within 15 days of the regular budget ~~meeting vote~~ at which the budget was finally approved ~~in accordance with chapter 103-A~~.

(2) On receiving the petition, the school board shall call the special budget reconsid-

eration ~~meeting vote~~, which must be held within 15 days of the date the petition was received.

C. In a municipality, the meeting to reconsider the vote must be called by the municipal officers:

(1) Within 15 days after receipt of a request from the school board, if the request is received within 15 days of the budget ~~meeting vote~~ at which the budget was finally approved in accordance with section 2307 and it specifies the article or articles to be reconsidered; or

(2) Within 15 days after receipt of a written application presented in accordance with Title 30-A, section 2532, if the application is received within 15 days of the budget ~~meeting vote~~ at which the budget was finally approved in accordance with section 2307 and it specifies the article or articles to be reconsidered.

3. Invalidation of action of special budget meeting to reconsider the vote. If a special budget ~~meeting vote~~ is called to reconsider action taken at a regular budget ~~meeting vote~~, the ~~actions of the meeting~~ are ~~is~~ invalid if the number of voters at the special budget ~~meeting vote~~ is less than the number of voters ~~present~~ at the regular budget ~~meeting vote~~.

4. Line-item transfers. ~~Meetings~~ Votes requested by a school board for the purpose of transferring funds from one category or line item to another must be posted for voter or council action within 15 days of the date of the request.

Sec. E-29. PL 2009, c. 213, Pt. C, §17 is amended to read:

Sec. C-17. Mill expectation. The mill expectation pursuant to the Maine Revised Statutes, Title 20-A, section 15671-A for fiscal year 2009-10 is ~~6.73~~ 6.99 and must be lowered to ~~6.37~~ 6.69 as a result of funds provided under Title XIV of the State Fiscal Stabilization Fund of the federal American Recovery and Reinvestment Act of 2009 as part of the amount restored to school administrative units in fiscal year 2009-10.

Sec. E-30. PL 2009, c. 213, Pt. C, §19 is amended to read:

Sec. C-19. Local and state contributions to total cost of funding public education from kindergarten to grade 12. The local contribution and the state contribution appropriation provided for general purpose aid for local schools for the fiscal year beginning July 1, 2009 and ending June 30, 2010 is calculated as follows:

	2009-10	2009-10
	LOCAL	STATE

Local and State Contributions to the Total Cost of Funding Public Education from Kindergarten to Grade 12

Local and state contributions to the total cost of funding public education from kindergarten to grade 12 pursuant to the Maine Revised Statutes, Title 20-A, section 15683	\$923,174,744	\$958,971,492
	<u>\$961,272,967</u>	<u>\$920,873,269</u>

Portion to be paid from Federal IDEA balance (\$11,600,000)

Adjusted state contribution - subject to statewide distributions required by law \$947,371,492
\$909,273,269

Sec. E-31. Mill expectation. The mill expectation pursuant to the Maine Revised Statutes, Title 20-A, section 15671-A for fiscal year 2010-11 is 7.46 and must be lowered to 6.96 as a result of funds provided under Title XIV of the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009 as part of the amount restored to school administrative units in fiscal year 2010-11.

Sec. E-32. Total cost of funding public education from kindergarten to grade 12. The total cost of funding public education from kindergarten to grade 12 for fiscal year 2010-11 is as follows:

	2010-11
	TOTAL
Total Operating Allocation	
Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 without transitions percentage	\$1,377,907,552
Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 with 97% transitions percentage	\$1,336,568,385
Total other subsidizable costs pursuant to the Maine Revised Statutes, Title 20-A, section 15681-A	\$399,182,922

Total Operating Allocation

Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 and total other subsidizable costs pursuant to Title 20-A, section 15681-A	\$1,735,751,307
Total Debt Service Allocation	
Total debt service allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683-A	\$99,049,370
Total Adjustments and Miscellaneous Costs	
Total adjustments and miscellaneous costs pursuant to the Maine Revised Statutes, Title 20-A, sections 15689 and 15689-A	\$74,663,270
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Total Cost of Funding Public Education from Kindergarten to Grade 12	
Total cost of funding public education from kindergarten to grade 12 for fiscal year 2010-11 pursuant to the Maine Revised Statutes, Title 20-A, chapter 606-B	\$1,909,463,947

Sec. E-33. Local and state contributions to total cost of funding public education from kindergarten to grade 12. The local contribution and the state contribution appropriation provided for general purpose aid for local schools for the fiscal year beginning July 1, 2010 and ending June 30, 2011 is calculated as follows:

	2010-11	2010-11
	LOCAL	STATE
Local and State Contributions to the Total Cost of Funding Public Education from Kindergarten to Grade 12		
Local and state contributions to the total cost of funding public education from kindergarten to grade 12 pursuant to the Maine Revised Statutes, Title 20-A, section 15683 - subject to statewide distributions required by law	\$1,031,138,925	\$878,325,022

Sec. E-34. Limit of State's obligation. If the State's continued obligation for any individual compo-

nent contained in sections 32 and 33 of this Part exceeds the level of funding provided for that component, any unexpended balances occurring in other programs may be applied to avoid proration of payments for any individual component. Any unexpended balances from this Part may not lapse but must be carried forward for the same purpose.

Sec. E-35. Authorization of payments. Sections 32 and 33 of this Part may not be construed to require the State to provide payments that exceed the appropriation of funds for general purpose aid for local schools for the fiscal year beginning July 1, 2010 and ending June 30, 2011.

PART F

Sec. F-1. Lapse; unencumbered balance; BGS - Capital Construction Repair. Notwithstanding any other provision of law, the State Controller shall lapse \$175,190 from the unencumbered balance in All Other and \$24,809 in Capital Expenditures from the General Fund BGS - Capital Construction Repair Fund account in the Department of Administrative and Financial Services to General Fund unappropriated surplus at the close of fiscal year 2009-10.

Sec. F-2. Transfer; unexpended funds; Sale of State Property account. Notwithstanding any other provision of law, the State Controller shall transfer \$55,174 in unexpended funds from the Other Special Revenue Funds, Sale of State Property account in the Department of Administrative and Financial Services to General Fund unappropriated surplus at the close of fiscal year 2009-10.

Sec. F-3. Transfer; unexpended funds; BPI Insurance and Loss Prevention Property account. Notwithstanding any other provision of law, the State Controller shall transfer \$22,536 in unexpended funds from the Other Special Revenue Funds, BPI Insurance and Loss Prevention account in the Department of Administrative and Financial Services to General Fund unappropriated surplus at the close of fiscal year 2009-10.

PART G

Sec. G-1. Transfer; unexpended funds; Food Vending Services account. Notwithstanding any other provision of law, the State Controller shall transfer \$70,000 in unexpended funds from the Other Special Revenue Funds, Food Vending Services account in the Department of Administrative and Financial Services to General Fund unappropriated surplus at the close of fiscal year 2009-10.

Sec. G-2. Transfer; unexpended funds; Bangor Campus Office Space account. Notwithstanding any other provision of law, the State Controller shall transfer \$75,000 by June 30, 2010 and \$25,000 by June 30, 2011 in unexpended funds from the Other Special Revenue Funds, Bangor Campus

Sec. WWW-3. 36 MRSA §271, sub-§2, ¶E is enacted to read:

E. Charge fees for filing a petition for appeal with the board pursuant to subsection 10.

Sec. WWW-4. 36 MRSA §271, sub-§3, as amended by PL 1993, c. 395, §9, is further amended to read:

3. Procedures. Appeals to the board must be commenced by filing a petition for appeal with the board and paying the appropriate filing fee if required pursuant to subsection 10. A copy of the petition must be mailed to the State Tax Assessor and to the assessor of the municipality where the property subject to appeal is located.

Sec. WWW-5. 36 MRSA §271, sub-§3-A, as enacted by PL 1993, c. 395, §10, is amended to read:

3-A. Filing. Petitions for appeal, filing fees and all other papers required or permitted to be filed with the board must be filed with the secretary of the board. Filing with the secretary may be accomplished by delivery to the office of the board or by mail addressed to the secretary of the board. All papers to be filed that are transmitted by the United States Postal Service are deemed filed on the day the papers are deposited in the mail as provided in section 153. The secretary of the board shall place a petition for appeal that is filed without payment of the filing fee on the docket and shall notify the petitioner that the appeal will not be processed further without payment. Municipal appeals under section 272 are specifically exempted from the filing fee requirement.

Sec. WWW-6. 36 MRSA §271, sub-§9 is enacted to read:

9. Property Tax Review Board Fund; funding. The Property Tax Review Board Fund is established to assist in funding the activities of the board pursuant to this subchapter. Any balance in the fund does not lapse but is carried forward to be expended for the same purposes in succeeding fiscal years. Filing fees collected pursuant to this section must be deposited in the fund, which is administered by the board. The funds must supplement and not supplant General Fund appropriations.

Sec. WWW-7. 36 MRSA §271, sub-§10 is enacted to read:

10. Filing fees. The following fees are required for filing petitions for appeal with the board.

A. The filing fee for a petition for an appeal of current use valuation under the tree growth tax law, chapter 105, subchapter 2-A, the farm and open space tax law, chapter 105, subchapter 10, the working waterfront land law, chapter 105,

subchapter 10-A or a petition for an appeal relating to section 2865 is \$75.

B. The filing fee for a petition for an appeal relating to nonresidential property or properties with an equalized municipal valuation of \$1,000,000 or greater pursuant to sections 273, 843 and 844 is \$150.

Sec. WWW-8. Appropriations and allocations. The following appropriations and allocations are made.

PROPERTY TAX REVIEW, STATE BOARD OF

Property Tax Review - State Board of 0357

Initiative: Allocates funds for the State Board of Property Tax Review from fees to be charged for appeals that are filed with the board.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$500	\$3,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$3,000

Sec. WWW-9. Application. This Part does not apply to any appeal pending or petition filed with the State Board of Property Tax Review prior to the effective date of this Act.

PART XXX

Sec. XXX-1. 20-A MRSA §15689-B, sub-§6, as amended by PL 2009, c. 213, Pt. C, §15, is further amended to read:

6. Balance of allocations. Notwithstanding any other law, general operating fund balances at the end of a school administrative unit's fiscal year must be carried forward to meet the unit's needs in the next year or over a period not to exceed 3 years. Unallocated balances in excess of 3% of the previous fiscal year's school budget must be used to reduce the state and local share of the total allocation for the purpose of computing state subsidy. School boards may carry forward unallocated balances in excess of 3% of the previous year's school budget and disburse these funds in the next year or over a period not to exceed 3 years. For fiscal years 2008-09, 2009-10 and 2010-11, 2011-12, 2012-13, 2013-14 and 2014-15 only, the carry-forward of a school administrative units may unit's unallocated balances is not be limited to 3% of the previous fiscal year's school budget.

PART YYY

Sec. YYY-1. 27 MRSA §7 is enacted to read:

Enacted with amendments H-790 and H-798 as P.L. 2009, c. 571.
Amendment H-798 was not relevant.



124th MAINE LEGISLATURE

SECOND REGULAR SESSION-2010

Legislative Document

No. 1671

H.P. 1183

House of Representatives, January 4, 2010

An Act Making Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2010 and June 30, 2011

(EMERGENCY)

Received by the Clerk of the House on December 31, 2009. Referred to the Committee on Appropriations and Financial Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CAIN of Orono. (GOVERNOR'S BILL)
Cosponsored by Senator DIAMOND of Cumberland.

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

3 **Whereas,** the 90-day period may not terminate until after the beginning of the next
4 fiscal year; and

5 **Whereas,** certain obligations and expenses incident to the operation of state
6 departments and institutions will become due and payable immediately; and

7 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
8 the meaning of the Constitution of Maine and require the following legislation as
9 immediately necessary for the preservation of the public peace, health and safety; now,
10 therefore,

11 **Be it enacted by the People of the State of Maine as follows:**

PART A

12
13 **Sec. A-1. Appropriations and allocations.** The following appropriations and
14 allocations are made.

15 **ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

16 **Accident - Sickness - Health Insurance 0455**

17 Initiative: Reduces funding by freezing one vacant part-time Accountant I position until
18 January 1, 2011.

19	GENERAL FUND	2009-10	2010-11
20	Personal Services	(\$13,139)	(\$14,350)
21	All Other	(\$2,900)	(\$2,900)
22			
23	GENERAL FUND TOTAL	(\$16,039)	(\$17,250)

24 **Bureau of Revenue Services Fund 0885**

25 Initiative: Reduces funding that will not be expended during the 2010-2011 biennium.

26	BUREAU OF REVENUE SERVICES FUND	2009-10	2010-11
27	All Other	(\$150,880)	(\$151,720)
28			
29	BUREAU OF REVENUE SERVICES FUND TOTAL	(\$150,880)	(\$151,720)

30 **Capital Construction/Repairs/Improvements - Administration 0059**

31 Initiative: Reduces funding for repairs in state-owned facilities.

1	FEDERAL EXPENDITURES FUND	2009-10	2010-11
2	Personal Services	\$88,415	\$18,555
3	All Other	\$518	\$109
4			
5	FEDERAL EXPENDITURES FUND TOTAL	<u>\$88,933</u>	<u>\$18,664</u>
6	Rehabilitation Services 0799		
7	Initiative: RECLASSIFICATIONS		
8	FEDERAL EXPENDITURES FUND	2009-10	2010-11
9	Personal Services	\$15,710	\$11,965
10	All Other	\$262	\$200
11			
12	FEDERAL EXPENDITURES FUND TOTAL	<u>\$15,972</u>	<u>\$12,165</u>
13	LABOR, DEPARTMENT OF		
14	DEPARTMENT TOTALS	2009-10	2010-11
15			
16	GENERAL FUND	\$0	\$0
17	FEDERAL EXPENDITURES FUND	\$113,603	\$37,026
18	OTHER SPECIAL REVENUE FUNDS	\$721	\$731
19			
20	DEPARTMENT TOTAL - ALL FUNDS	<u>\$114,324</u>	<u>\$37,757</u>
21	MARINE RESOURCES, DEPARTMENT OF		
22	Bureau of Resource Management 0027		
23	Initiative: RECLASSIFICATIONS		
24	OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
25	Personal Services	\$2,573	\$1,578
26	All Other	(\$2,573)	(\$1,578)
27			
28	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$0</u>
29	Office of the Commissioner 0258		
30	Initiative: RECLASSIFICATIONS		

1	OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
2	Personal Services	\$1,602	\$1,809
3	All Other	(\$1,602)	(\$1,809)
4			
5	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$0</u>
6	MARINE RESOURCES, DEPARTMENT OF		
7	DEPARTMENT TOTALS	2009-10	2010-11
8			
9	OTHER SPECIAL REVENUE FUNDS	\$0	\$0
10			
11	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$0</u>
12	PUBLIC SAFETY, DEPARTMENT OF		
13	Capitol Security - Bureau of 0101		
14	Initiative: RECLASSIFICATIONS		
15	GENERAL FUND	2009-10	2010-11
16	Personal Services	\$15,885	\$2,559
17	All Other	(\$15,885)	(\$2,559)
18			
19	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$0</u>
20	Fire Marshal - Office of 0327		
21	Initiative: RECLASSIFICATIONS		
22	OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
23	Personal Services	\$4,511	\$3,985
24	All Other	\$41	\$36
25			
26	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$4,552</u>	<u>\$4,021</u>
27	State Police 0291		
28	Initiative: RECLASSIFICATIONS		
29	GENERAL FUND	2009-10	2010-11
30	Personal Services	\$30,336	\$10,984
31	All Other	(\$30,336)	(\$10,984)
32			
33	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$0</u>

1 Turnpike Enforcement 0547
 2 Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$16,299	\$11,795
All Other	\$318	\$230
OTHER SPECIAL REVENUE FUNDS TOTAL	\$16,617	\$12,025
PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$21,169	\$16,046
DEPARTMENT TOTAL - ALL FUNDS	\$21,169	\$16,046
SECTION TOTALS	2009-10	2010-11
GENERAL FUND	\$0	\$0
FEDERAL EXPENDITURES FUND	\$160,637	\$65,399
OTHER SPECIAL REVENUE FUNDS	\$123,709	\$57,959
OFFICE OF INFORMATION SERVICES FUND	\$0	\$0
CENTRAL MOTOR POOL	\$0	\$0
ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND	\$0	\$0
SECTION TOTAL - ALL FUNDS	\$284,346	\$123,358

26 PART C

27 Sec. C-1. PL 2009, c. 213, Pt. TT, §1 is amended to read:

28 Sec. TT-1. Consolidation of statewide information technology functions,
 29 systems and funding to improve efficiency and cost-effectiveness. The Chief
 30 Information Officer shall review the current organizational structure, systems and
 31 operations of information technology units to improve organizational efficiency and cost-
 32 effectiveness. The Chief Information Officer is authorized to manage and operate all
 33 information technology systems in the executive branch and to approve all information
 34 technology expenditures from a consolidated account within each agency to fulfill
 35 strategic and operational objectives as expressed in a memorandum of agreement with
 36 each agency. An annual reconciliation of actual services rendered against budgeted
 37 amounts will be performed. Notwithstanding any other provision of law, the State

1 Budget Officer shall transfer position counts and available balances where allowable by
 2 financial order upon approval of the Governor to the Department of Administrative and
 3 Financial Services, Office of Information Technology for the provision of those services.
 4 These transfers are considered adjustments to authorized position count, appropriations
 5 and allocations in fiscal years 2009-10 and 2010-11. The State Budget Officer shall
 6 report to the Joint Standing Committee on Appropriations and Financial Affairs the
 7 transferred amounts no later than January 15, 2010.

8 Notwithstanding any other provision of law, the Chief Information Officer or the
 9 Chief Information Officer's designee shall provide direct oversight and management over
 10 statewide technology services and oversight over the technology personnel assigned to
 11 information technology services. The Chief Information Officer is authorized to identify
 12 savings and position eliminations to the General Fund and other funds from efficiencies
 13 to achieve the savings identified in this Part.

14 PART D

15 Sec. D-1. Transfer; unexpended funds; Baxter Compensation Authority
 16 account. Notwithstanding any other provision of law, the State Controller shall transfer
 17 \$2,570 in unexpended funds from the Baxter Compensation Authority, Other Special
 18 Revenue Funds account within the Baxter Compensation Authority to General Fund
 19 unappropriated surplus at the close of fiscal year 2009-10.

20 PART E

21 Sec. E-1. 20-A MRSA §1305-A, as amended by PL 2005, c. 12, Pt. WW, §1 and
 22 c. 683, Pt. A, §21, is repealed.

23 Sec. E-2. 20-A MRSA §1305-B, as amended by PL 2005, c. 683, Pt. A, §22, is
 24 repealed.

25 Sec. E-3. 20-A MRSA §1701, sub-§11, ¶B, as amended by PL 1999, c. 710, §9,
 26 is further amended to read:

27 B. Unless authorized by the voters or ~~except as provided in section 1701-A,~~
 28 ~~subsection 5,~~ the district school committee may not transfer funds between line item
 29 categories.

30 Sec. E-4. 20-A MRSA §1701-A, as amended by PL 2005, c. 12, Pt. WW, §2, is
 31 repealed.

32 Sec. E-5. 20-A MRSA §1701-B, as amended by PL 2005, c. 2, Pt. D, §14 and
 33 affected by §§72 and 74 and c. 12, Pt. WW, §18, is repealed.

34 Sec. E-6. 20-A MRSA §5805, sub-§1, ¶D, as enacted by PL 1981, c. 693, §§5
 35 and 8, is amended to read:

36 D. The tuition rate thus determined shall must be adjusted by the average change in
 37 public secondary education costs for the 2 years immediately before the school year
 38 for which the tuition charge is computed. This adjustment ~~shall be~~ is limited to a 6%

1 increase. Beginning in school year 2010-2011, this adjustment is limited to an
2 increase no greater than in the most recent year's Consumer Price Index or other
3 comparable index.

4 **Sec. E-7. 20-A MRSA §5806, sub-§2**, as amended by PL 2009, c. 213, Pt. C, §2,
5 is further amended to read:

6 **2. Maximum allowable tuition.** The maximum allowable tuition charged to a
7 school administrative unit by a private school is the rate established under subsection 1 or
8 the state average per public secondary student cost as adjusted, whichever is lower, plus
9 an insured value factor. For school year 2009-2010 only, the maximum allowable tuition
10 rate, prior to the addition of the insured value factor, must be reduced by 2%; the insured
11 value factor must be based on this reduced rate. The insured value factor is computed by
12 dividing 5% of the insured value of school buildings and equipment by the average
13 number of pupils enrolled in the school on October 1st and April 1st of the year
14 immediately before the school year for which the tuition charge is computed. For the
15 ~~2008-09~~ 2008-2009 school year only, a school administrative unit is not required to pay
16 an insured value factor greater than 5% of the school's tuition rate per student, unless the
17 legislative body of the school administrative unit votes to authorize its school board to
18 pay a higher insured value factor that is no greater than 10% of the school's tuition rate
19 per student. Beginning in school year 2009-10, a school administrative unit is not
20 required to pay an insured value factor greater than 5% of the school's tuition rate or \$500
21 per student, whichever is less, unless the legislative body of the school administrative unit
22 votes to authorize its school board to pay a higher insured value factor that is no greater
23 than 10% of the school's tuition rate per student.

24 **Sec. E-8. 20-A MRSA §6051, sub-§1, ¶E**, as amended by PL 2005, c. 683, Pt.
25 A, §24, is further amended to read:

26 E. A determination as to whether the school administrative unit has complied with
27 applicable provisions of the Essential Programs and Services Funding Act; and

28 **Sec. E-9. 20-A MRSA §6051, sub-§1, ¶F**, as enacted by PL 1985, c. 797, §36,
29 is amended to read:

30 F. Any other information ~~which~~ that the commissioner may require;

31 **Sec. E-10. 20-A MRSA §6051, sub-§1, ¶G** is enacted to read:

32 G. A determination of whether the school administrative unit has complied with
33 transfer limitations between budget cost center lines pursuant to section 1485,
34 subsection 4;

35 **Sec. E-11. 20-A MRSA §6051, sub-§1, ¶H** is enacted to read:

36 H. A determination of whether the school administrative unit has complied with
37 budget content requirements pursuant to section 15693, subsection 1 and cost center
38 summary budget format requirements pursuant to sections 1305-C, 1485, 1701-C and
39 2307; and

40 **Sec. E-12. 20-A MRSA §6051, sub-§1, ¶I** is enacted to read:

1 I. A determination of whether the school administrative unit has exceeded its
2 authority to expend funds, as provided by the total budget summary article.

3 **Sec. E-13. 20-A MRSA §6051, sub-§7** is enacted to read:

4 **7. Exception.** If a municipal school administrative unit meets all of the following
5 eligibility criteria, then the municipal school administrative unit may file the annual
6 municipal audit or audits in lieu of the annual audit required by this section:

7 A. The municipal school administrative unit does not operate a school or schools;

8 B. A school administrative unit audit is not necessary to meet federal audit
9 requirements;

10 C. The municipal school administrative unit files the municipal audit or audits that
11 include the fiscal year specified in subsection 2; and

12 D. The municipal school administrative unit is not a member of a school
13 administrative district, community school district, regional school unit or alternative
14 organizational structure.

15 **Sec. E-14. 20-A MRSA §6051, sub-§8** is enacted to read:

16 **8. Corrective action plan.** The commissioner shall review the audits of the school
17 administrative unit and determine if the school administrative unit should develop a
18 corrective action plan for any audit issues specified in the annual audit. The corrective
19 action plan must address those audit findings and management comments and
20 recommendations that have been identified by the commissioner, and the plan must be
21 filed within the timelines established by the commissioner. The school administrative
22 unit shall provide assurances to the commissioner that the school administrative unit has
23 implemented the plan and its corrective action within the timelines established by the
24 commissioner. If the school administrative unit has not met the conditions for submitting
25 a corrective action plan or providing assurances that the school administrative unit has
26 implemented the plan, the commissioner may withhold monthly subsidy payments from a
27 school administrative unit in accordance with section 6801-A.

28 **Sec. E-15. 20-A MRSA §15005, sub-§3**, as enacted by PL 1981, c. 693, §§5 and
29 8, is amended to read:

30 **3. Return required.** An apportionment provided in this chapter, chapters 109, 205,
31 505 and ~~605~~ 606-B, and section 13601, and Title 20, section 3457, may not be paid to a
32 school administrative unit by the Treasurer of State until returns required by law have
33 been filed with the commissioner.

34 **Sec. E-16. 20-A MRSA §15671, sub-§7, ¶A**, as amended by PL 2009, c. 213,
35 Pt. C, §3, is further amended to read:

36 A. The base total calculated pursuant to section 15683, subsection 2 is subject to the
37 following annual targets.

38 (1) For fiscal year 2005-06, the target is 84%.

- (2) For fiscal year 2006-07, the target is 90%.
- (3) For fiscal year 2007-08, the target is 95%.
- (4) For fiscal year 2008-09, the target is 97%.
- (5) For fiscal year 2009-10, the target is 97%.
- (6) For fiscal year 2010-11 ~~and succeeding years~~, the target is ~~100%~~ 97%.
- (7) For fiscal year 2011-12 and succeeding years, the target is 100%.

Sec. E-17. 20-A MRSA §15671, sub-§7, ¶B, as amended by PL 2009, c. 1, Pt. C, §1 and c. 213, Pt. C, §4, is repealed and the following enacted in its place:

B. The annual targets for the state share percentage of the statewide adjusted total cost of the components of essential programs and services are as follows.

- (1) For fiscal year 2005-06, the target is 52.6%.
- (2) For fiscal year 2006-07, the target is 53.86%.
- (3) For fiscal year 2007-08, the target is 53.51%.
- (4) For fiscal year 2008-09, the target is 52.52%.
- (5) For fiscal year 2009-10, the target is 48.93%.
- (6) For fiscal year 2010-11, the target is 44.67%.
- (7) For fiscal year 2011-12 and succeeding years, the target is 55%.

Sec. E-18. 20-A MRSA §15671-A, sub-§2, ¶B, as amended by PL 2009, c. 213, Pt. C, §5, is further amended to read:

B. For property tax years beginning on or after April 1, 2005, the commissioner shall calculate the full-value education mill rate that is required to raise the statewide total local share. The full-value education mill rate is calculated for each fiscal year by dividing the applicable statewide total local share by the applicable statewide valuation. The full-value education mill rate must decline over the period from fiscal year 2005-06 to fiscal year 2008-09 and may not exceed 9.0 mills in fiscal year 2005-06 and may not exceed 8.0 mills in fiscal year 2008-09. The full-value education mill rate must be applied according to section 15688, subsection 3-A, paragraph A to determine a municipality's local cost share expectation. Full-value education mill rates must be derived according to the following schedule.

- (1) For the 2005 property tax year, the full-value education mill rate is the amount necessary to result in a 47.4% statewide total local share in fiscal year 2005-06.
- (2) For the 2006 property tax year, the full-value education mill rate is the amount necessary to result in a 46.14% statewide total local share in fiscal year 2006-07.
- (3) For the 2007 property tax year, the full-value education mill rate is the amount necessary to result in a 45.56% statewide total local share in fiscal year 2007-08.

(4) For the 2008 property tax year, the full-value education mill rate is the amount necessary to result in a 45.99% statewide total local share in fiscal year 2008-09.

(4-A) For the 2009 property tax year, the full-value education mill rate is the amount necessary to result in a ~~49.05%~~ 51.07% statewide total local share in fiscal year 2009-10.

(4-B) For the 2010 property tax year ~~and subsequent tax years~~, the full-value education mill rate is the amount necessary to result in a ~~45.0%~~ 55.33% statewide total local share in fiscal year 2010-11 ~~and after~~.

(4-C) For the 2011 property tax year and subsequent tax years, the full-value education mill rate is the amount necessary to result in a 45.0% statewide total local share in fiscal year 2011-12 and after.

Sec. E-19. 20-A MRSA §15689, sub-§1, ¶A, as repealed and replaced by PL 2005, c. 2, Pt. D, §58 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is amended to read:

A. The sum of the following calculations:

(1) Multiplying 5% of each school administrative unit's essential programs and services per-pupil elementary rate by the average number of resident kindergarten to grade 8 pupils as determined under section 15674, subsection 1, paragraph C, subparagraph (1); and

(2) Multiplying 5% of each school administrative unit's essential programs and services per-pupil secondary rate by the average number of resident grade 9 to grade 12 pupils as determined under section 15674, subsection 1, paragraph C, subparagraph (1); ~~and~~.

The 5% factor in subparagraphs (1) and (2) must be replaced by: 4% for the 2009-10 funding year including funds provided under Title XIV of the State Fiscal Stabilization Fund of the federal American Recovery and Reinvestment Act of 2009; 3% for the 2010-11 funding year including funds provided under Title XIV of the State Fiscal Stabilization Fund of the federal American Recovery and Reinvestment Act of 2009; and 3% for the 2011-12 funding year and subsequent years; and

Sec. E-20. 20-A MRSA §15689, sub-§1, ¶B, as amended by PL 2009, c. 1, Pt. C, §2 and c. 213, Pt. C, §8, is repealed and the following enacted in its place:

B. The school administrative unit's special education costs as calculated pursuant to section 15681-A, subsection 2 multiplied by the following transition percentages:

- (1) In fiscal year 2005-06, 84%;
- (2) In fiscal year 2006-07, 84%;
- (3) In fiscal year 2007-08, 84%;
- (4) In fiscal year 2008-09, 45%;

(5) In fiscal year 2009-10, 40% including funds provided under Title XIV of the State Fiscal Stabilization Fund of the federal American Recovery and Reinvestment Act of 2009;

(6) In fiscal year 2010-11, 30% including funds provided under Title XIV of the State Fiscal Stabilization Fund of the federal American Recovery and Reinvestment Act of 2009; and

(7) In fiscal year 2011-12 and succeeding years, 30%.

Sec. E-21. 20-A MRSA §15690, sub-§2, as amended by PL 2005, c. 12, Pt. WW, §6 and affected by §18, is further amended to read:

2. **Non-state-funded debt service.** For a school administrative unit's indebtedness previously approved by its legislative body for non-state-funded major capital school construction projects or non-state-funded portions of major capital school construction projects and minor capital projects, the legislative body of each school administrative unit may vote to raise and appropriate an amount up to the municipality's or district's annual payments for non-state-funded debt service.

A. An article in substantially the following form must be used when a school administrative unit is considering the appropriation for debt service allocation for non-state-funded school construction projects or non-state-funded portions of school construction projects and minor capital projects.

(1) "Article To see what sum the (municipality or district) will raise and appropriate for the annual payments on debt service previously approved by the legislative body for non-state-funded school construction projects, or non-state-funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the school administrative unit's contribution to the total cost of funding public education from kindergarten to grade 12. (Recommend \$.....)"

(2) The following statement must accompany the article in subparagraph (1). "Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on the (municipality's or district's) long-term debt for major capital school construction projects and minor capital renovation projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters or other legislative body."

Sec. E-22. PL 2009, c. 213, Pt. C, §17 is amended to read:

Sec. C-17. **Mill expectation.** The mill expectation pursuant to the Maine Revised Statutes, Title 20-A, section 15671-A for fiscal year 2009-10 is ~~6.73~~ 6.99 and must be lowered to ~~6.37~~ 6.69 as a result of funds provided under Title XIV of the State Fiscal Stabilization Fund of the federal American Recovery and Reinvestment Act of 2009 as part of the amount restored to school administrative units in fiscal year 2009-10.

Sec. E-23. PL 2009, c. 213, Pt. C, §19 is amended to read:

Sec. C-19. **Local and state contributions to total cost of funding public education from kindergarten to grade 12.** The local contribution and the state contribution appropriation provided for general purpose aid for local schools for the fiscal year beginning July 1, 2009 and ending June 30, 2010 is calculated as follows:

	2009-10 LOCAL	2009-10 STATE
Local and State Contributions to the Total Cost of Funding Public Education from Kindergarten to Grade 12		
Local and state contributions to the total cost of funding public education from kindergarten to grade 12 pursuant to the Maine Revised Statutes, Title 20-A, section 15683	<u>\$923,174,744</u> <u>\$961,272,967</u>	<u>\$958,971,492</u> <u>\$920,873,269</u>
Portion to be paid from Federal IDEA balance		(\$11,600,000)
Adjusted state contribution - subject to statewide distributions required by law		<u>\$947,371,492</u> <u>\$909,273,269</u>

Sec. E-24. **Waiver; required local contribution.** For fiscal year 2009-10 general purpose aid for local schools funding only, for those school administrative units that do not raise the increased required local contribution pursuant to the Maine Revised Statutes, Title 20-A, section 15690, subsection 1 that results from increasing the mill expectation from 6.37 to 6.69, there is no proportional reduction to the state share pursuant to Title 20-A, section 15690, subsection 1, paragraph C.

Sec. E-25. **Mill expectation.** The mill expectation pursuant to the Maine Revised Statutes, Title 20-A, section 15671-A for fiscal year 2010-11 is 7.66 and must be lowered to 7.14 as a result of funds provided under Title XIV of the State Fiscal Stabilization Fund of the federal American Recovery and Reinvestment Act of 2009 as part of the amount restored to school administrative units in fiscal year 2010-11.

Sec. E-26. **Total cost of funding public education from kindergarten to grade 12.** The total cost of funding public education from kindergarten to grade 12 for fiscal year 2010-11 is as follows:

	2010-11 TOTAL	
Total Operating Allocation		
Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 without transitions percentage	\$1,376,791,408	
Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 with 97% transitions percentage	\$1,335,487,666	
Total other subsidizable costs pursuant to the Maine Revised Statutes, Title 20-A, section 15681-A	\$399,145,292	
Total Operating Allocation	<hr/>	
Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 and total other subsidizable costs pursuant to Title 20-A, section 15681-A	\$1,734,632,958	
Total Debt Service Allocation		
Total debt service allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683-A	\$99,049,370	
Total Adjustments and Miscellaneous Costs		
Total adjustments and miscellaneous costs pursuant to the Maine Revised Statutes, Title 20-A, sections 15689 and 15689-A	\$74,207,874	
Total Cost of Funding Public Education from Kindergarten to Grade 12	<hr/>	
Total cost of funding public education from kindergarten to grade 12 for fiscal year 2010-11 pursuant to the Maine Revised Statutes, Title 20-A, chapter 606-B	\$1,907,890,202	

41 **Sec. E-27. Local and state contributions to total cost of funding public**
42 **education from kindergarten to grade 12.** The local contribution and the state
43 contribution appropriation provided for general purpose aid for local schools for the fiscal
44 year beginning July 1, 2010 and ending June 30, 2011 is calculated as follows:

	2010-11 LOCAL	2010-11 STATE
Local and State Contributions to the Total Cost of Funding Public Education from Kindergarten to Grade 12		
Local and state contributions to the total cost of funding public education from kindergarten to grade 12 pursuant to the Maine Revised Statutes, Title 20-A, section 15683 - subject to statewide distributions required by law	\$1,055,635,712	\$852,254,490

13 **Sec. E-28. Limit of State's obligation.** If the State's continued obligation for
14 any individual component contained in sections 26 and 27 of this Part exceeds the level
15 of funding provided for that component, any unexpended balances occurring in other
16 programs may be applied to avoid proration of payments for any individual component.
17 Any unexpended balances from this Part may not lapse but must be carried forward for
18 the same purpose.

19 **Sec. E-29. Authorization of payments.** Sections 26 and 27 of this Part may not
20 be construed to require the State to provide payments that exceed the appropriation of
21 funds for general purpose aid for local schools for the fiscal year beginning July 1, 2010
22 and ending June 30, 2011.

23 **PART F**

24 **Sec. F-1. Lapse; unencumbered balance; BGS - Capital Construction**
25 **Repair.** Notwithstanding any other provision of law, the State Controller shall lapse
26 \$175,190 from the unencumbered balance in All Other and \$24,809 in Capital
27 Expenditures from the General Fund BGS - Capital Construction Repair Fund account in
28 the Department of Administrative and Financial Services to General Fund unappropriated
29 surplus at the close of fiscal year 2009-10.

30 **Sec. F-2. Transfer; unexpended funds; Sale of Property account.**
31 Notwithstanding any other provision of law, the State Controller shall transfer \$55,174 in
32 unexpended funds from the Other Special Revenue Funds, Sale of Property account in the
33 Department of Administrative and Financial Services to General Fund unappropriated
34 surplus at the close of fiscal year 2009-10.

35 **Sec. F-3. Transfer; unexpended funds; BPI Insurance and Loss**
36 **Prevention Property account.** Notwithstanding any other provision of law, the State
37 Controller shall transfer \$22,536 in unexpended funds from the Other Special Revenue
38 Funds, BPI Insurance and Loss Prevention account in the Department of Administrative
39 and Financial Services to General Fund unappropriated surplus at the close of fiscal year
40 2009-10.

1 Governor fail to identify the savings required under section 1 on or before March 15,
2 2011, the State Budget Officer shall identify \$250,000 in savings in the Department of
3 Economic and Community Development. Notwithstanding any other provision of law,
4 the State Budget Officer shall transfer the amount by financial order upon approval of the
5 Governor. This transfer is considered an adjustment to appropriations in fiscal year 2010-
6 11.

7 **PART FFF**

8 **Sec. FFF-1. Calculation and transfer; General Fund savings.** Notwithstanding any other provision of law, the State Budget Officer shall calculate the
9 amount of savings that results from the State's receipt of federal stimulus funding in
10 legislation enacted by Congress and signed by the President of the United States
11 subsequent to December 7, 2009 that is in addition to funds provided to the State as a
12 result of the American Recovery and Reinvestment Act of 2009. The State Budget
13 Officer shall transfer the savings by financial order upon approval of the Governor. These
14 transfers are considered adjustments to appropriations in fiscal year 2010-11.
15

16 **PART GGG**

17 **Sec. GGG-1. PL 2009, c. 213, Pt. SSS, §3** is amended to read:

18 **Sec. SSS-3. State Government closure.** Notwithstanding any other provision of
19 law and excepting those operations determined to be exempt by the nature of the services
20 provided as established by the Commissioner of Administrative and Financial Services,
21 all executive branch state departments, agencies and offices must be closed for ~~10~~ 11
22 days in fiscal year 2009-10 and ~~10~~ 12 days in fiscal year 2010-11 as determined by the
23 Governor and referred to as "State Government closure days." There may be no more
24 than one day of closure per month and no more than one day of closure falling within any
25 single employee payroll cycle.

26 Any employee who is not required to work on State Government closure days must
27 take the days off without pay. Employee leave with pay or unpaid leave pursuant to a
28 voluntary employee incentive program is not allowed for those days designated as State
29 Government closure days. The provisions of this section do not apply to an employee
30 who is required to work because an operation is determined to be exempt pursuant to this
31 section.

32 **PART HHH**

33 **Sec. HHH-1. Unified payment card work group established.** The Treasurer
34 of State shall convene a work group to review disbursement options related to a unified
35 payment card for state expenditures in order to determine if increased cardholder
36 convenience and further state budget savings can be achieved.

37 **Sec. HHH-2. Participants.** In convening the work group under section 1, the
38 Treasurer of State shall include representatives from the Department of Administrative
39 and Financial Services, Office of the State Controller, Bureau of Revenue Services and
40 Office of Information Technology; the Department of Labor; the Department of Health

1 and Human Services; the Department of Corrections; the Department of Education; and
2 the Department of Professional and Financial Regulation. The Treasurer of State shall
3 serve as chair of the work group and may accept resources as approved and provided by
4 work group participants.

5 **Sec. HHH-3. Duties.** The work group under section 1 shall:

- 6 1. Review current payment card offerings;
- 7 2. Explore opportunities to expand payment card offerings;
- 8 3. Determine any cost savings and expenses associated with a unified payment card;
9 and
- 10 4. Recommend actions and timelines, if appropriate.

11 **Sec. HHH-4. Report.** The work group under section 1 shall submit its report,
12 including any recommended implementing legislation, to the joint standing committee of
13 the Legislature having jurisdiction over appropriations and financial affairs by January
14 15, 2011.

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

17 **SUMMARY**

18 This bill does the following.

19 **PART A**

20 This Part makes supplemental appropriations and allocations of funds for fiscal years
21 ending June 30, 2009 and June 30, 2011.

22 **PART B**

23 This Part makes supplemental appropriations and allocations of funds for approved
24 reclassifications and range changes.

25 **PART C**

26 This Part amends Public Law 2009, chapter 213, Part TT, section 1 to recognize that
27 a consolidated account will be established within each agency to account for technology-
28 related expenditures.

29 **PART D**

30 This Part transfers certain unexpended funds from the Baxter Compensation
31 Authority account to General Fund unappropriated surplus at the end of fiscal year
32 2009-10.

1 **PART E**

2 This Part does the following.

3 1. It repeals statutory sections on budget requirements for school administrative
4 districts and community school districts that are no longer necessary.

5 2. It adjusts the inflation factor for tuition rate calculations to be consistent with
6 more current inflationary factors.

7 3. It specifies a lower tuition rate calculation for school year 2009-2010 to reflect the
8 reduction in state aid to public school administrative units.

9 4. It provides clarification in audit requirements to reflect current statutory
10 requirements for the accounting of public funds in school administrative units.

11 5. It corrects a cross-reference.

12 6. It specifies the appropriate percentages necessary for the fiscal year 2010-11
13 funding level.

14 7. It removes minor capital project debt from the list of types of debt for which the
15 legislative body of each school administrative unit may vote to raise and appropriate
16 funds and removes minor capital debt from the warrant article and explanation required
17 for non-state-funded debt service approval.

18 8. It specifies a mill expectation of 6.69 for fiscal year 2009-10; the total cost of
19 funding public education from kindergarten to grade 12, consisting of total operating
20 allocation and the state and local share of those costs; and a waiver from the requirement
21 that school administrative units must raise the additional mill rate expectation to reach
22 6.69 mills or face a reduction in the state contribution.

23 9. It specifies a mill expectation of 7.66 for fiscal year 2010-11 and the total cost of
24 funding public education from kindergarten to grade 12, consisting of total debt service
25 allocation, total adjustments and miscellaneous costs and state share percentage. It also
26 authorizes the lowering of the mill expectation from 7.66 to 7.14 with funds provided
27 under Title XIV of the State Fiscal Stabilization Fund of the federal American Recovery
28 and Reinvestment Act of 2009 as part of the amount restored to school administrative
29 units in fiscal year 2010-11.

30 **PART F**

31 This Part lapses certain unencumbered balances and transfers certain unexpended
32 funds within accounts of the Department of Administrative and Financial Services,
33 Bureau of General Services to General Fund unappropriated surplus at the end of fiscal
34 year 2009-10.

35 **PART G**

1 This Part transfers certain unexpended funds within accounts of the Department of
2 Administrative and Financial Services to General Fund unappropriated surplus at the end
3 of fiscal years 2009-10 and 2010-11.

4 **PART H**

5 This Part transfers certain unexpended funds within various Capital Construction
6 Reserve Fund accounts of the Department of Administrative and Financial Services to the
7 General Fund unappropriated surplus at the ends of fiscal years 2009-10 and 2010-11.

8 **PART I**

9 This Part transfers certain unexpended funds within various Other Special Revenue
10 Funds accounts of the Department of Administrative and Financial Services to General
11 Fund unappropriated surplus at the ends of fiscal years 2009-10 and 2010-11.

12 **PART J**

13 This Part transfers excess equity reserves for retiree health insurance for fiscal years
14 2008-09 and 2009-10 to the unappropriated surplus of the General Fund by the close of
15 fiscal year 2009-10. This Part also transfers amounts related to savings in the General
16 Fund and Other Special Revenue Funds accounts arising from rate reductions for retiree
17 health insurance in fiscal year 2010-11.

18 **PART K**

19 This Part transfers certain unexpended funds from the Other Special Revenue Funds,
20 Taxation Revenue Collection account in the Department of Administrative and Financial
21 Services to General Fund unappropriated surplus at the close of fiscal year 2009-10.

22 **PART L**

23 This Part transfers certain unexpended funds within various Other Special Revenue
24 Funds accounts of the Department of Professional and Financial Regulation to General
25 Fund unappropriated surplus at the end of fiscal year 2009-10.

26 **PART M**

27 This Part transfers unexpended balances in the Fund for a Healthy Maine, Other
28 Special Revenue Funds account in the Department of Administrative and Financial
29 Services at the end of fiscal year 2008-09 as well as the increase in revenue in fiscal year
30 2009-10 and 2010-11 projected by the Revenue Forecasting Committee in December
31 2009 to the unappropriated surplus of the General Fund.

32 **PART N**

33 This Part requires the State Budget Officer to calculate the amount of savings in the
34 Statewide Service Center account in Part A that applies against each General Fund
35 account for executive branch departments and agencies statewide from a decrease in
36 charges by the Department of Administrative and Financial Services, Division of
37 Financial and Personnel Services associated with savings from a reduction in retiree

**124th MAINE LEGISLATURE****LD 1671****LR 2528(01)**

An Act Making Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2010 and June 30, 2011

**Fiscal Note for Original Bill
Sponsor: Rep. Cain of Orono
Committee: Appropriations and Financial Affairs
Fiscal Note Required: Yes**

Fiscal Note

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
Net Cost (Savings)				
General Fund	(\$231,703,863)	(\$176,995,823)	(\$158,506,142)	(\$177,540,098)
Fund for a Healthy Maine	\$5,602,295	(\$222,345)	(\$388,382)	(\$429,229)
Appropriations/Allocations				
General Fund	(\$50,854,793)	(\$223,440,539)	(\$149,298,464)	(\$167,992,395)
Federal Expenditures Fund	\$26,668,142	(\$155,301,303)	(\$72,533,279)	(\$103,894,291)
Fund for a Healthy Maine	\$1,676,780	(\$444,627)	(\$388,382)	(\$429,229)
Other Special Revenue Funds	(\$10,918,275)	(\$1,475,184)	(\$1,873,088)	(\$1,720,626)
Federal Block Grant Fund	(\$250,455)	(\$1,578,586)	(\$633,207)	(\$1,153,760)
Federal Expenditures Fund ARRA	\$2,815,013	(\$8,921,676)	(\$6,321,809)	(\$6,321,809)
Financial and Personnel Services Fund	(\$99,246)	(\$112,200)	(\$115,566)	(\$119,033)
Office of Information Services Fund	\$28,168	\$134,231	\$141,359	\$148,701
Central Motor Pool	\$0	\$0	\$88	\$179
Bureau of Revenue Services Fund	(\$150,880)	(\$151,720)	\$0	\$0
Accident, Sickness and Health Insurance Internal Service Fund	\$0	\$0	\$548	\$1,112
State Lottery Fund	(\$66,298)	\$0	\$0	\$0
Employment Security Trust Fund	\$107,166,625	\$121,821,120	\$121,821,120	\$121,821,120
Revenue				
General Fund	\$19,717,092	\$34,457,726	\$9,207,678	\$9,547,703
Other Special Revenue Funds	(\$11,587,500)	(\$3,544,943)	\$10,856,502	\$10,862,784

LD 1671

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
Transfers				
General Fund	\$161,131,978	(\$80,902,442)	\$0	\$0
Fund for a Healthy Maine	(\$3,925,515)	(\$222,282)	\$0	\$0
Other Special Revenue Funds	(\$95,642,428)	\$82,672,890	\$0	\$0
Bureau of Revenue Services Fund	(\$350,000)	(\$200,000)	\$0	\$0
Retiree Health Insurance Fund	(\$46,146,818)	\$0	\$0	\$0

Fund Detail by Section**Appropriations/Allocations****General Fund**

PART A, Section 1	(\$5,132,985)	(\$69,255,442)	(\$34,905,585)	(\$35,627,973)
PART A, Section 2	(\$272,888)	(\$331,652)	(\$246,596)	(\$251,688)
PART A, Section 3	(\$32,256)	(\$37,873)	(\$37,873)	(\$37,873)
PART A, Section 4	\$0	(\$1,464)	(\$1,464)	(\$1,464)
PART A, Section 5	(\$285,674)	\$0	\$0	\$0
PART A, Section 6	(\$50,195)	(\$53,113)	(\$54,706)	(\$56,347)
PART A, Section 7	\$0	(\$6,121)	(\$6,121)	(\$6,121)
PART A, Section 8	(\$1,676,873)	(\$1,700,659)	(\$1,700,659)	(\$1,700,659)
PART A, Section 9	(\$559,426)	(\$669,040)	(\$285,709)	(\$292,967)
PART A, Section 10	(\$263,001)	(\$499,160)	(\$517,060)	(\$535,497)
PART A, Section 11	\$0	\$3,500,000	\$3,500,000	\$3,500,000
PART A, Section 12	\$1,466,597	(\$294,237)	(\$298,639)	(\$303,171)
PART A, Section 13	\$0	(\$1,782)	(\$1,782)	(\$1,782)
PART A, Section 15	\$0	(\$6,538)	(\$6,538)	(\$6,538)
PART A, Section 16	\$0	(\$651)	(\$651)	(\$651)
PART A, Section 17	(\$396,430)	(\$634,872)	(\$634,872)	(\$634,872)
PART A, Section 18	(\$38,011,935)	(\$37,091,481)	(\$37,091,185)	(\$37,090,880)
PART A, Section 19	(\$4,067)	(\$4,117)	(\$4,117)	(\$4,117)
PART A, Section 21	(\$319,920)	(\$288,786)	\$0	\$0
PART A, Section 22	(\$170,682)	(\$85,340)	(\$7,327)	(\$7,327)
PART A, Section 23	\$0	(\$511,552)	(\$511,552)	(\$511,552)
PART A, Section 24	\$0	(\$2,707)	(\$2,707)	(\$2,707)
PART A, Section 25	\$1,164,880	(\$26,802,077)	(\$15,985,438)	(\$21,380,849)
PART A, Section 26	\$5,013,798	(\$70,839,697)	(\$43,058,976)	(\$55,587,786)
PART A, Section 27	(\$2,975)	(\$2,975)	(\$2,975)	(\$2,975)
PART A, Section 28	\$0	(\$2,327)	(\$2,327)	(\$2,327)
PART A, Section 29	\$0	(\$3,294)	(\$3,294)	(\$3,294)
PART A, Section 30	(\$15,329)	(\$15,515)	(\$15,515)	(\$15,515)
PART A, Section 31	(\$20,856)	(\$21,557)	(\$21,557)	(\$21,557)
PART A, Section 32	\$0	(\$2,768)	(\$2,768)	(\$2,768)
PART A, Section 33	\$0	(\$3,900)	(\$3,900)	(\$3,900)
PART A, Section 34	\$0	(\$600,590)	(\$600,590)	(\$600,590)
PART A, Section 35	(\$13,938)	\$0	\$37	\$76
PART A, Section 36	(\$800,000)	(\$169,410)	(\$109,410)	(\$109,410)
PART A, Section 37	(\$438,000)	(\$143,957)	(\$143,957)	(\$143,957)

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
PART A, Section 38	(\$159,180)	(\$149,901)	(\$97,748)	(\$99,619)
PART A, Section 39	(\$243,981)	(\$323,386)	(\$329,073)	(\$334,931)
PART A, Section 40	(\$263,403)	(\$267,139)	(\$267,139)	(\$267,139)
PART A, Section 41	\$0	(\$3,596)	(\$3,596)	(\$3,596)
PART A, Section 42	(\$3,465)	(\$61,784)	(\$63,368)	(\$65,000)
PART A, Section 43	\$0	(\$412)	(\$412)	(\$412)
PART A, Section 44	\$0	(\$13,217)	(\$13,217)	(\$13,217)
PART A, Section 46	(\$3,256)	(\$3,294)	\$0	\$0
PART A, Section 47	\$0	(\$97,712)	(\$97,712)	(\$97,712)
PART A, Section 48	(\$430,499)	(\$536,277)	(\$266,692)	(\$273,673)
PART A, Section 50	\$0	(\$2,436)	(\$2,436)	(\$2,436)
PART A, Section 51	\$97,866	(\$1,950)	(\$1,950)	(\$1,950)
PART A, Section 52	\$0	(\$1,134)	(\$1,134)	(\$1,134)
PART A, Section 53	(\$3,056,655)	(\$9,362,560)	(\$9,364,030)	(\$9,365,544)
PART A, Section 54	(\$5,970,065)	(\$6,031,087)	(\$6,031,087)	(\$6,031,087)
PART B, Section 1	\$0	\$0	\$6,943	\$14,095

Federal Expenditures Fund

PART A, Section 2	\$188,770	\$191,550	\$196,592	\$201,785
PART A, Section 5	\$0	\$75,000	\$75,000	\$75,000
PART A, Section 9	\$13,167	\$14,333	\$0	\$0
PART A, Section 12	\$3,630,083	\$3,760,030	\$3,697,248	\$3,718,165
PART A, Section 14	\$0	\$8,025,915	\$8,025,915	\$8,025,915
PART A, Section 18	(\$215,285)	(\$618,830)	(\$622,915)	(\$627,122)
PART A, Section 21	\$0	\$329,234	\$341,132	\$353,387
PART A, Section 22	\$20,239	\$495,475	\$496,080	\$496,703
PART A, Section 26	\$21,594,422	(\$170,680,825)	(\$87,850,992)	(\$119,248,687)
PART A, Section 35	\$47,791	\$2,936	\$3,023	\$3,113
PART A, Section 37	\$1,225,552	\$3,020,987	\$3,019,621	\$3,018,215
PART A, Section 39	(\$9,326)	(\$19,757)	(\$19,864)	(\$19,974)
PART A, Section 51	\$12,092	\$37,250	\$38,368	\$39,519
PART B, Section 1	\$160,637	\$65,399	\$67,513	\$69,690

Fund for a Healthy Maine

PART A, Section 1	\$536,000	\$0	\$0	\$0
PART A, Section 25	\$0	(\$31,954)	\$31,954	\$0
PART A, Section 26	\$0	(\$412,673)	(\$420,336)	(\$429,229)
PART A, Section 48	\$1,140,780	\$0	\$0	\$0

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
Other Special Revenue Funds				
PART A, Section 2	\$1,572,978	\$1,651,911	\$1,586,911	\$1,586,911
PART A, Section 5	(\$89,269)	(\$112,427)	(\$112,427)	(\$112,427)
PART A, Section 6	\$13,589	\$53,113	\$54,706	\$56,347
PART A, Section 8	\$73,529	\$75,051	\$75,051	\$75,051
PART A, Section 9	(\$47,400)	\$29,021	\$331	\$341
PART A, Section 11	(\$56,748)	(\$56,748)	(\$56,748)	(\$56,748)
PART A, Section 12	(\$360)	\$23,861	\$23,923	\$23,987
PART A, Section 17	(\$389,685)	(\$3,643,414)	(\$3,643,414)	(\$3,643,414)
PART A, Section 18	(\$56,050)	\$347,515	\$351,600	\$355,807
PART A, Section 20	\$0	\$50,000	\$0	\$0
PART A, Section 21	\$169,671	\$223,313	(\$123,515)	(\$133,356)
PART A, Section 22	(\$20,239)	\$13,002	\$13,369	\$13,747
PART A, Section 25	(\$381,701)	(\$2,409,941)	(\$2,405,237)	(\$2,400,393)
PART A, Section 26	(\$1,023,683)	\$11,860,696	\$11,939,395	\$12,087,360
PART A, Section 34	\$0	\$142,600	\$142,600	\$142,600
PART A, Section 35	\$15,000	\$0	\$0	\$0
PART A, Section 36	\$85,908	(\$49,540)	(\$49,540)	(\$49,540)
PART A, Section 37	\$43,278	\$45,972	\$47,338	\$48,745
PART A, Section 39	\$195,706	\$239,759	\$243,833	\$248,029
PART A, Section 45	(\$190,901)	(\$165,980)	(\$170,777)	(\$175,719)
PART A, Section 48	\$113,614	\$96,662	\$96,842	\$97,027
PART A, Section 49	\$0	\$54,515	\$56,115	\$57,711
PART A, Section 51	(\$12,092)	(\$37,250)	(\$38,368)	(\$39,519)
PART A, Section 53	(\$11,204,189)	(\$10,114,936)	(\$10,114,936)	(\$10,114,936)
PART A, Section 54	\$147,060	\$150,102	\$150,102	\$150,102
PART B, Section 1	\$123,709	\$57,959	\$59,758	\$61,609
Federal Block Grant Fund				
PART A, Section 26	(\$250,455)	(\$1,578,586)	(\$633,207)	(\$1,153,760)
Federal Expenditures Fund ARRA				
PART A, Section 26	\$2,815,013	(\$8,921,676)	(\$6,321,809)	(\$6,321,809)
Financial and Personnel Services Fund				
PART A, Section 1	(\$99,246)	(\$112,200)	(\$115,566)	(\$119,033)
Office of Information Services Fund				
PART A, Section 1	\$28,168	\$134,231	\$138,258	\$142,406
PART B, Section 1	\$0	\$0	\$3,101	\$6,295
Central Motor Pool				
PART B, Section 1	\$0	\$0	\$88	\$17

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
Bureau of Revenue Services Fund				
PART A, Section 1	(\$150,880)	(\$151,720)	\$0	\$0
Accident, Sickness and Health Insurance Internal Service Fund				
PART B, Section 1	\$0	\$0	\$548	\$1,112
State Lottery Fund				
PART A, Section 1	(\$66,298)	\$0	\$0	\$0
Employment Security Trust Fund				
PART A, Section 37	\$107,166,625	\$121,821,120	\$121,821,120	\$121,821,120
Revenue				
General Fund				
PART A, Section 1	\$66,298	\$0	\$0	\$0
PART A, Section 2	(\$186,706)	(\$186,706)	(\$186,706)	(\$186,706)
PART FF, Section 1	\$0	\$500,000	\$0	\$0
PART GG, Section 1	\$0	\$2,850,000	\$2,992,500	\$3,142,125
PART HH, Section 1	\$0	\$9,500,000	(\$1,900,000)	(\$1,900,000)
PART II, Section 1	\$0	\$500,000	\$500,000	\$500,000
PART JJ, Section 1	\$12,000,000	\$15,000,000	\$0	\$0
PART KK, Section 1	\$0	\$5,581,932	\$7,089,384	\$7,279,784
PART LL, Section 1	\$712,500	\$0	\$0	\$0
PART LL, Section 2	\$7,125,000	\$712,500	\$712,500	\$712,500
Other Special Revenue Funds				
PART GG, Section 1	\$0	\$150,000	\$157,500	\$165,375
PART HH, Section 1	\$0	\$500,000	(\$100,000)	(\$100,000)
PART JJ, Section 1	(\$12,000,000)	(\$15,000,000)	\$0	\$0
PART KK, Section 1	\$0	(\$3,388)	(\$9,443)	(\$11,036)
PART LL, Section 1	\$37,500	\$0	\$0	\$0
PART LL, Section 2	\$375,000	\$37,500	\$37,500	\$37,500
PART AAA, Section 1	\$0	\$10,770,945	\$10,770,945	\$10,770,945
Transfers				
General Fund				
PART D, Section 1	\$2,570	\$0	\$0	\$0
PART F, Section 1	\$199,999	\$0	\$0	\$0
PART F, Section 2	\$55,174	\$0	\$0	\$0
PART F, Section 3	\$22,536	\$0	\$0	\$0
PART G, Section 1	\$70,000	\$0	\$0	\$0
PART G, Section 2	\$75,000	\$25,000	\$0	\$0
PART G, Section 3	\$9,500	\$0	\$0	\$0
PART G, Section 4	\$2,000	\$0	\$0	\$0
PART H, Section 1	\$227,359	\$0	\$0	\$0
PART H, Section 2	\$746	\$0	\$0	\$0

LD 1671

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
PART H, Section 3	\$0	\$131,671	\$0	\$0
PART H, Section 4	\$7,337	\$0	\$0	\$0
PART H, Section 5	\$16,074	\$0	\$0	\$0
PART I, Section 1	\$0	\$987,605	\$0	\$0
PART I, Section 2	\$44,814	\$0	\$0	\$0
PART J, Section 1	\$22,590,806	\$0	\$0	\$0
PART J, Section 2	\$23,556,012	\$0	\$0	\$0
PART J, Section 4	\$0	\$4,189,789	\$0	\$0
PART K, Section 1	\$140,000	\$0	\$0	\$0
PART L, Section 1	\$3,500,191	\$0	\$0	\$0
PART L, Section 2	\$75,107	\$0	\$0	\$0
PART L, Section 3	\$1,600,000	\$0	\$0	\$0
PART M, Section 1	\$3,925,515	\$222,282	\$0	\$0
PART P, Section 1	\$5,810	\$0	\$0	\$0
PART Q, Section 1	\$3,205	\$0	\$0	\$0
PART R, Section 1	\$2,960	\$0	\$0	\$0
PART S, Section 1	\$211,904	\$0	\$0	\$0
PART X, Section 4	\$292,968	\$0	\$0	\$0
PART Z, Section 2	\$192,949	\$0	\$0	\$0
PART Z, Section 3	\$87,681	\$0	\$0	\$0
PART Z, Section 4	\$2,000	\$0	\$0	\$0
PART AA, Section 1	\$50,000	\$150,000	\$0	\$0
PART AA, Section 2	\$19,974	\$92,296	\$0	\$0
PART AA, Section 3	\$400,000	\$0	\$0	\$0
PART AA, Section 4	\$29,635	\$0	\$0	\$0
PART BB, Section 1	\$35,500	\$0	\$0	\$0
PART CC, Section 1	\$1,096,299	\$0	\$0	\$0
PART CC, Section 2	\$0	\$1,198,166	\$0	\$0
PART DD, Section 1	\$350,000	\$200,000	\$0	\$0
PART OO, Section 1	\$13,500,000	\$0	\$0	\$0
PART QQ, Section 1	\$140,000	\$0	\$0	\$0
PART SS, Section 1	\$929,280	\$723,114	\$0	\$0
PART TT, Section 1	\$0	\$4,652,635	\$0	\$0
PART BBB, Section 1	(\$3,804,827)	\$0	\$0	\$0
PART BBB, Section 2	(\$1,569,406)	\$0	\$0	\$0
PART BBB, Section 3	(\$439,694)	\$0	\$0	\$0
PART CCC, Section 1	\$93,475,000	(\$93,475,000)	\$0	\$0
Fund for a Healthy Maine				
PART M, Section 1	(\$3,925,515)	(\$222,282)	\$0	\$0

LD1671

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
Other Special Revenue Funds				
PART D, Section 1	(\$2,570)	\$0	\$0	\$0
PART F, Section 2	(\$55,174)	\$0	\$0	\$0
PART F, Section 3	(\$22,536)	\$0	\$0	\$0
PART G, Section 1	(\$70,000)	\$0	\$0	\$0
PART G, Section 2	(\$75,000)	(\$25,000)	\$0	\$0
PART G, Section 3	(\$9,500)	\$0	\$0	\$0
PART G, Section 4	(\$2,000)	\$0	\$0	\$0
PART H, Section 1	(\$227,359)	\$0	\$0	\$0
PART H, Section 2	(\$746)	\$0	\$0	\$0
PART H, Section 3	\$0	(\$131,671)	\$0	\$0
PART H, Section 4	(\$7,337)	\$0	\$0	\$0
PART H, Section 5	(\$16,074)	\$0	\$0	\$0
PART I, Section 1	\$0	(\$987,605)	\$0	\$0
PART I, Section 2	(\$44,814)	\$0	\$0	\$0
PART J, Section 4	\$0	(\$4,189,789)	\$0	\$0
PART K, Section 1	(\$140,000)	\$0	\$0	\$0
PART L, Section 1	(\$3,500,191)	\$0	\$0	\$0
PART L, Section 2	(\$75,107)	\$0	\$0	\$0
PART L, Section 3	(\$1,600,000)	\$0	\$0	\$0
PART R, Section 1	(\$2,960)	\$0	\$0	\$0
PART X, Section 4	(\$292,968)	\$0	\$0	\$0
PART Z, Section 2	(\$192,949)	\$0	\$0	\$0
PART Z, Section 3	(\$87,681)	\$0	\$0	\$0
PART Z, Section 4	(\$2,000)	\$0	\$0	\$0
PART AA, Section 2	(\$19,974)	(\$92,296)	\$0	\$0
PART AA, Section 3	(\$400,000)	\$0	\$0	\$0
PART AA, Section 4	(\$29,635)	\$0	\$0	\$0
PART BB, Section 1	(\$35,500)	\$0	\$0	\$0
PART QQ, Section 1	(\$140,000)	\$0	\$0	\$0
PART SS, Section 1	(\$929,280)	(\$723,114)	\$0	\$0
PART TT, Section 1	\$0	(\$4,652,635)	\$0	\$0
PART BBB, Section 1	\$3,804,827	\$0	\$0	\$0
PART BBB, Section 2	\$1,569,406	\$0	\$0	\$0
PART BBB, Section 3	\$439,694	\$0	\$0	\$0
PART CCC, Section 1	(\$93,475,000)	\$93,475,000	\$0	\$0
Bureau of Revenue Services Fund				
PART DD, Section 1	(\$350,000)	(\$200,000)	\$0	\$0
Retiree Health Insurance Fund				
PART J, Section 1	(\$22,590,806)	\$0	\$0	\$0
PART J, Section 2	(\$23,556,012)	\$0	\$0	\$0

Date: 3/26/10

(Filing No. H-790)

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1183, L.D. 1671, Bill, "An Act Making Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2010 and June 30, 2011"

Amend the bill by striking out everything after the title and before the summary and inserting the following:

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 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; 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:

PART A

Sec. A-1. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Accident - Sickness - Health Insurance 0455

Initiative: Reduces funding by freezing one vacant part-time Accountant I position until January 1, 2011.

1 Budget Officer shall transfer position counts and available balances where allowable by
2 financial order upon approval of the Governor to the Department of Administrative and
3 Financial Services, Office of Information Technology for the provision of those services.
4 These transfers are considered adjustments to authorized position count, appropriations
5 and allocations in fiscal years 2009-10 and 2010-11. The State Budget Officer shall
6 report to the Joint Standing Committee on Appropriations and Financial Affairs the
7 transferred amounts no later than January 15, 2010.

8 Notwithstanding any other provision of law, the Chief Information Officer or the
9 Chief Information Officer's designee shall provide direct oversight and management over
10 statewide technology services and oversight over the technology personnel assigned to
11 information technology services. The Chief Information Officer is authorized to identify
12 savings and position eliminations to the General Fund and other funds from efficiencies
13 to achieve the savings identified in this Part.

14 **Sec. C-2. PL 2009, c. 213, Pt. TT, §3** is enacted to read:

15 **Sec. TT-3. Carrying accounts; technology.** Notwithstanding any other
16 provision of law, the State Controller shall allow information technology funds to carry
17 forward and shall establish a separate technology account in the consolidated information
18 technology program within each agency to consolidate the funding for those accounts
19 containing information technology funds that currently carry forward.

20 **PART D**

21 **Sec. D-1. Transfer; unexpended funds; Baxter Compensation Authority**
22 **account.** Notwithstanding any other provision of law, the State Controller shall transfer
23 \$2,570 in unexpended funds from the Baxter Compensation Authority, Other Special
24 Revenue Funds account within the Baxter Compensation Authority to General Fund
25 unappropriated surplus at the close of fiscal year 2009-10.

26 **PART E**

27 **Sec. E-1. 20-A MRSA §1305-A**, as amended by PL 2005, c. 12, Pt. WW, §1 and
28 c. 683, Pt. A, §21, is repealed.

29 **Sec. E-2. 20-A MRSA §1305-B**, as amended by PL 2005, c. 683, Pt. A, §22, is
30 repealed.

31 **Sec. E-3. 20-A MRSA §1481-A, sub-§2-A** is enacted to read:

32 **2-A. Reformulated school administrative district cost-sharing.** For those school
33 administrative districts recreated as regional school units pursuant to Public Law 2007,
34 chapter 240, Part XXXX, section 36, subsection 12 as amended by chapter 668, methods
35 of cost-sharing and amendments of the cost-sharing formula must be in accordance with
36 section 1301.

37 **Sec. E-4. 20-A MRSA §1486, sub-§3**, as amended by PL 2009, c. 415, Pt. B,
38 §§7 and 8, is further amended to read:

1 pay a higher insured value factor that is no greater than 10% of the school's tuition rate
2 per student. Beginning in school year ~~2009-10~~ 2009-2010, a school administrative unit is
3 not required to pay an insured value factor greater than 5% of the school's tuition rate or
4 \$500 per student, whichever is less, unless the legislative body of the school
5 administrative unit votes to authorize its school board to pay a higher insured value factor
6 that is no greater than 10% of the school's tuition rate per student.

7 **Sec. E-9. 20-A MRSA §6051, sub-§1, ¶E**, as amended by PL 2005, c. 683, Pt.
8 A, §24, is further amended to read:

9 E. A determination as to whether the school administrative unit has complied with
10 applicable provisions of the Essential Programs and Services Funding Act; ~~and~~

11 **Sec. E-10. 20-A MRSA §6051, sub-§1, ¶F**, as enacted by PL 1985, c. 797, §36,
12 is amended to read:

13 F. Any other information ~~which~~ that the commissioner may require;

14 **Sec. E-11. 20-A MRSA §6051, sub-§1, ¶G** is enacted to read:

15 G. A determination of whether the school administrative unit has complied with
16 transfer limitations between budget cost centers pursuant to section 1485, subsection
17 4;

18 **Sec. E-12. 20-A MRSA §6051, sub-§1, ¶H** is enacted to read:

19 H. A determination of whether the school administrative unit has complied with
20 budget content requirements pursuant to section 15693, subsection 1 and cost center
21 summary budget format requirements pursuant to sections 1305-C, 1485, 1701-C and
22 2307; and

23 **Sec. E-13. 20-A MRSA §6051, sub-§1, ¶I** is enacted to read:

24 I. A determination of whether the school administrative unit has exceeded its
25 authority to expend funds, as provided by the total budget summary article.

26 **Sec. E-14. 20-A MRSA §6051, sub-§7** is enacted to read:

27 7. Exception. If a municipal school administrative unit meets all of the following
28 eligibility criteria, then the municipal school administrative unit may file the annual
29 municipal audit or audits in lieu of the annual audit required by this section:

30 A. The municipal school administrative unit does not operate a school or schools;

31 B. A school administrative unit audit is not necessary to meet federal audit
32 requirements;

33 C. The municipal school administrative unit files the municipal audit or audits that
34 include the fiscal year specified in subsection 2; and

35 D. The municipal school administrative unit is not a member of a school
36 administrative district, community school district, regional school unit or alternative
37 organizational structure.

38 **Sec. E-15. 20-A MRSA §6051, sub-§8** is enacted to read:

1 **8. Corrective action plan.** The commissioner shall review the audits of the school
2 administrative unit and determine if the school administrative unit should develop a
3 corrective action plan for any audit issues specified in the annual audit. The corrective
4 action plan must address those audit findings and management comments and
5 recommendations that have been identified by the commissioner, and the plan must be
6 filed within the timelines established by the commissioner. The school administrative
7 unit shall provide assurances to the commissioner that the school administrative unit has
8 implemented its corrective action plan within the timelines established by the
9 commissioner. If the school administrative unit has not met the conditions for submitting
10 a corrective action plan or providing assurances that the school administrative unit has
11 implemented the plan, the commissioner may withhold monthly subsidy payments from
12 the school administrative unit in accordance with section 6801-A.

13 **Sec. E-16. 20-A MRSA §15005, sub-§3,** as enacted by PL 1981, c. 693, §§5 and
14 8, is amended to read:

15 **3. Return required.** An apportionment provided in this chapter, chapters 109, 205,
16 505 and ~~605~~ 606-B, and section 13601, and Title 20, section 3457, may not be paid to a
17 school administrative unit by the Treasurer of State until returns required by law have
18 been filed with the commissioner.

19 **Sec. E-17. 20-A MRSA §15671, sub-§7, ¶A,** as amended by PL 2009, c. 213,
20 Pt. C, §3, is further amended to read:

21 A. The base total calculated pursuant to section 15683, subsection 2 is subject to the
22 following annual targets.

- 23 (1) For fiscal year 2005-06, the target is 84%.
- 24 (2) For fiscal year 2006-07, the target is 90%.
- 25 (3) For fiscal year 2007-08, the target is 95%.
- 26 (4) For fiscal year 2008-09, the target is 97%.
- 27 (5) For fiscal year 2009-10, the target is 97%.
- 28 (6) For fiscal year 2010-11 ~~and succeeding years~~, the target is ~~100%~~ 97%.
- 29 (7) For fiscal year 2011-12 and succeeding years, the target is 100%.

30 **Sec. E-18. 20-A MRSA §15671, sub-§7, ¶B,** as amended by PL 2009, c. 1, Pt.
31 C, §1 and c. 213, Pt. C, §4, is repealed and the following enacted in its place:

32 B. The annual targets for the state share percentage of the statewide adjusted total
33 cost of the components of essential programs and services are as follows.

- 34 (1) For fiscal year 2005-06, the target is 52.6%.
- 35 (2) For fiscal year 2006-07, the target is 53.86%.
- 36 (3) For fiscal year 2007-08, the target is 53.51%.
- 37 (4) For fiscal year 2008-09, the target is 52.52%.

1 (5) For fiscal year 2009-10, the target is 48.93%.

2 (6) For fiscal year 2010-11, the target is 46%.

3 (7) For fiscal year 2011-12 and succeeding years, the target is 55%.

4 **Sec. E-19. 20-A MRSA §15671-A, sub-§2, ¶B**, as amended by PL 2009, c. 213,
5 Pt. C, §5, is further amended to read:

6 B. For property tax years beginning on or after April 1, 2005, the commissioner shall
7 calculate the full-value education mill rate that is required to raise the statewide total
8 local share. The full-value education mill rate is calculated for each fiscal year by
9 dividing the applicable statewide total local share by the applicable statewide
10 valuation. The full-value education mill rate must decline over the period from fiscal
11 year 2005-06 to fiscal year 2008-09 and may not exceed 9.0 mills in fiscal year 2005-
12 06 and may not exceed 8.0 mills in fiscal year 2008-09. The full-value education mill
13 rate must be applied according to section 15688, subsection 3-A, paragraph A to
14 determine a municipality's local cost share expectation. Full-value education mill
15 rates must be derived according to the following schedule.

16 (1) For the 2005 property tax year, the full-value education mill rate is the
17 amount necessary to result in a 47.4% statewide total local share in fiscal year
18 2005-06.

19 (2) For the 2006 property tax year, the full-value education mill rate is the
20 amount necessary to result in a 46.14% statewide total local share in fiscal year
21 2006-07.

22 (3) For the 2007 property tax year, the full-value education mill rate is the
23 amount necessary to result in a 45.56% statewide total local share in fiscal year
24 2007-08.

25 (4) For the 2008 property tax year, the full-value education mill rate is the
26 amount necessary to result in a 45.99% statewide total local share in fiscal year
27 2008-09.

28 (4-A) For the 2009 property tax year, the full-value education mill rate is the
29 amount necessary to result in a ~~49.05%~~ 51.07% statewide total local share in
30 fiscal year 2009-10.

31 (4-B) For the 2010 property tax year ~~and subsequent tax years~~, the full-value
32 education mill rate is the amount necessary to result in a ~~45.0%~~ 54.0% statewide
33 total local share in fiscal year 2010-11 ~~and after~~.

34 (4-C) For the 2011 property tax year and subsequent tax years, the full-value
35 education mill rate is the amount necessary to result in a 45.0% statewide total
36 local share in fiscal year 2011-12 and after.

37 **Sec. E-20. 20-A MRSA §15683, sub-§1, ¶F**, as amended by PL 2005, c. 519,
38 Pt. AAAA, §10, is further amended to read:

39 F. An isolated small unit adjustment. A school administrative unit is eligible for an
40 isolated small school adjustment when the unit meets the size and distance criteria as

1 established by the commissioner. The amount of the adjustment is the result of
2 adjusting the necessary student-to-staff ratios determined in section 15679,
3 subsection 2, the per-pupil amount for operation and maintenance of plant in section
4 15680, subsection 1, paragraph B or other essential programs and services
5 components in chapter 606-B, as recommended by the commissioner. The isolated
6 small school adjustment must be applied to discrete school buildings that meet the
7 criteria for the adjustment. The adjustment is not applicable to sections, wings or
8 other parts of a building that are dedicated to certain grade spans.

9 **Sec. E-21. 20-A MRSA §15689, sub-§1, ¶A,** as repealed and replaced by PL
10 2005, c. 2, Pt. D, §58 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is amended to
11 read:

12 A. The sum of the following calculations:

13 (1) Multiplying 5% of each school administrative unit's essential programs and
14 services per-pupil elementary rate by the average number of resident kindergarten
15 to grade 8 pupils as determined under section 15674, subsection 1, paragraph C,
16 subparagraph (1); and

17 (2) Multiplying 5% of each school administrative unit's essential programs and
18 services per-pupil secondary rate by the average number of resident grade 9 to
19 grade 12 pupils as determined under section 15674, subsection 1, paragraph C,
20 subparagraph (1); and.

21 The 5% factor in subparagraphs (1) and (2) must be replaced by: 4% for the 2009-10
22 funding year including funds provided under Title XIV of the State Fiscal
23 Stabilization Fund of the American Recovery and Reinvestment Act of 2009; 3% for
24 the 2010-11 funding year including funds provided under Title XIV of the State
25 Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009;
26 and 3% for the 2011-12 funding year and subsequent years; and

27 **Sec. E-22. 20-A MRSA §15689, sub-§1, ¶B,** as amended by PL 2009, c. 1, Pt.
28 C, §2 and c. 213, Pt. C, §8, is repealed and the following enacted in its place:

29 B. The school administrative unit's special education costs as calculated pursuant to
30 section 15681-A, subsection 2 multiplied by the following transition percentages:

31 (1) In fiscal year 2005-06, 84%;

32 (2) In fiscal year 2006-07, 84%;

33 (3) In fiscal year 2007-08, 84%;

34 (4) In fiscal year 2008-09, 45%;

35 (5) In fiscal year 2009-10, 40% including funds provided under Title XIV of the
36 State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act
37 of 2009;

38 (6) In fiscal year 2010-11, 35% including funds provided under Title XIV of the
39 State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act
40 of 2009; and

1 (7) In fiscal year 2011-12 and succeeding years, 30%.

2 **Sec. E-23. 20-A MRSA §15689, sub-§2**, as amended by PL 2007, c. 466, Pt. B,
3 §16, is further amended to read:

4 **2. Adjustment for debt service.** Each school administrative unit may receive an
5 adjustment for a debt service determined as follows.

6 A. A school administrative unit is eligible for this adjustment under the following
7 conditions.

8 (1) The school administrative unit's local share results in a full-value education
9 mill rate less than the local cost share expectation as described in section
10 15671-A through the 2009-10 fiscal year. Beginning in fiscal year 2010-11 and
11 in subsequent fiscal years, the school administrative unit's debt service allocation
12 must include principal and interest payments as defined in section 15672,
13 subsection 2-A, paragraph A.

14 (2) The school administrative unit has debt service costs defined under section
15 15672, subsection 2-A that have been placed on the state board's priority list by
16 January 2005.

17 (3) Beginning in fiscal year 2010-11 and in subsequent years, the school
18 administrative unit's total debt service costs less the local share amount in
19 paragraph B, subparagraph (2), division (b) is greater than the current state share
20 of the total allocation.

21 B. The amount of the adjustment is the difference, but not less than zero, between the
22 state share of the total allocation under this chapter and the amount computed as
23 follows.

24 (2) Beginning July 1, 2007, the school administrative unit's state share of the total
25 allocation if the local share was the sum of the following:

26 (a) The local share amount for the school administrative unit calculated as
27 the lesser of the total allocation excluding debt service costs and the school
28 administrative unit's fiscal capacity multiplied by the mill rate expectation
29 established in section 15671-A less the debt service adjustment mill rate
30 defined in section 15672, subsection 2-B; and

31 (b) The local share amount for the school administrative unit calculated as
32 the lesser of the debt service costs and the school administrative unit's fiscal
33 capacity multiplied by the debt service adjustment mill rate defined in section
34 15672, subsection 2-B.

35 **Sec. E-24. 20-A MRSA §15689-B, sub-§4**, as enacted by PL 2005, c. 2, Pt. D,
36 §61 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is amended to read:

37 **4. Appeals.** A school board may appeal the computation of state subsidy for the
38 school administrative unit to the state board in writing within 30 days of the date of the
39 initial notification of the computed amount of the component that is the subject of this
40 appeal. The state board shall review the appeal and make an adjustment if in its judgment

1 an adjustment is justified. The state board's decision is final as to facts supported by the
2 record of the appeal.

3 **Sec. E-25. 20-A MRSA §15690, sub-§1, ¶D** is enacted to read:

4 D. Beginning in fiscal year 2010-11, in any fiscal year in which the sum of the
5 State's contribution toward the cost of the components of essential programs and
6 services, exclusive of federal funds that are provided and accounted for in the cost of
7 the components of essential programs and services, plus any federal stimulus funds
8 applied to the State's contribution, falls below the State's target of 55% of the cost of
9 the components of essential programs and services, the commissioner shall calculate
10 the percentage of the State's 55% share that is funded by state appropriations and
11 federal stimulus funds and, notwithstanding any other provision of this paragraph, a
12 school administrative unit that raises at least the same percentage of its required local
13 contribution to the total cost of funding public education from kindergarten to grade
14 12, including state-funded debt service, as the State's contribution plus federal
15 stimulus funds toward its 55% share of the cost of the components of essential
16 programs and services may not have the amount of its state subsidy limited or
17 reduced under paragraph C.

18 This paragraph is repealed June 30, 2012.

19 **Sec. E-26. 20-A MRSA §15690, sub-§2**, as amended by PL 2005, c. 12, Pt.
20 WW, §6 and affected by §18, is further amended to read:

21 **2. Non-state-funded debt service.** For a school administrative unit's indebtedness
22 previously approved by its legislative body for non-state-funded major capital school
23 construction projects or non-state-funded portions of major capital school construction
24 projects ~~and minor capital projects~~, the legislative body of each school administrative unit
25 may vote to raise and appropriate an amount up to the municipality's or district's annual
26 payments for non-state-funded debt service.

27 A. An article in substantially the following form must be used when a school
28 administrative unit is considering the appropriation for debt service allocation for
29 non-state-funded school construction projects or non-state-funded portions of school
30 construction projects ~~and minor capital projects~~.

31 (1) "Article: To see what sum the (municipality or district) will raise and
32 appropriate for the annual payments on debt service previously approved by the
33 legislative body for non-state-funded school construction projects; or non-state-
34 funded portions of school construction projects ~~and minor capital projects~~ in
35 addition to the funds appropriated as the local share of the school administrative
36 unit's contribution to the total cost of funding public education from kindergarten
37 to grade 12. (Recommend \$.....)"

38 (2) The following statement must accompany the article in subparagraph (1).
39 "Explanation: Non-state-funded debt service is the amount of money needed for
40 the annual payments on the (municipality's or district's) long-term debt for major
41 capital school construction projects ~~and minor capital renovation projects~~ that are
42 not approved for state subsidy. The bonding of this long-term debt was
43 previously approved by the voters or other legislative body."

1 **Sec. E-27. 20-A MRSA §15693, sub-§3, ¶B**, as enacted by PL 2005, c. 2, Pt. D,
2 §62 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is amended to read:

3 B. The format of the school budget may be determined in accordance with section
4 ~~1306~~ 1485.

5 **Sec. E-28. 20-A MRSA §15694**, as enacted by PL 2005, c. 2, Pt. D, §62 and
6 affected by §§72 and 74 and c. 12, Pt. WW, §18, is amended to read:

7 **§15694. Actions on budget**

8 The following provisions apply to approving a school budget under this chapter.

9 **1. Checklist required.** Prior to a vote on articles dealing with school appropriations,
10 ~~the moderator of a regular or special school budget meeting shall require~~ the clerk or
11 secretary ~~to shall~~ make a checklist of the registered voters ~~present~~. The number of voters
12 listed on the checklist is conclusive evidence of the number ~~present at participating in the~~
13 meeting vote.

14 **2. Reconsideration.** Notwithstanding any law to the contrary, in school
15 administrative units where the school budget is finally approved by the voters, a special
16 budget ~~meeting vote~~ to reconsider action taken on the budget may be called only as
17 follows.

18 A. The ~~meeting reconsideration vote~~ must be held within 30 days of the regular
19 budget meeting vote at which the budget was finally approved in accordance with
20 section 2307 or chapter 103-A.

21 B. In a regional school unit, school administrative district or community school
22 district, the ~~meeting reconsideration vote~~ must be called by the school board or as
23 follows.

24 (1) A petition containing a number of signatures of legal voters in the member
25 municipalities of the school administrative unit equalling at least 10% of the
26 number of voters who voted in the last gubernatorial election in member
27 municipalities of the school administrative unit, or 100 voters, whichever is less,
28 and specifying the article or articles to be reconsidered must be presented to the
29 school board within 15 days of the regular budget ~~meeting vote~~ at which the
30 budget was finally approved in accordance with chapter 103-A.

31 (2) On receiving the petition, the school board shall call the special budget
32 reconsideration ~~meeting vote~~ , which must be held within 15 days of the date the
33 petition was received.

34 C. In a municipality, the meeting to reconsider the vote must be called by the
35 municipal officers:

36 (1) Within 15 days after receipt of a request from the school board, if the request
37 is received within 15 days of the budget ~~meeting vote~~ at which the budget was
38 finally approved in accordance with section 2307 and it specifies the article or
39 articles to be reconsidered; or

40 (2) Within 15 days after receipt of a written application presented in accordance
41 with Title 30-A, section 2532, if the application is received within 15 days of the

1 budget meeting vote at which the budget was finally approved in accordance with
 2 section 2307 and it specifies the article or articles to be reconsidered.

3 **3. Invalidation of action of special budget meeting to reconsider the vote.** If a
 4 special budget meeting vote is called to reconsider action taken at a regular budget
 5 meeting vote, the actions of the meeting are invalid if the number of voters at the
 6 special budget meeting vote is less than the number of voters present at the regular budget
 7 meeting vote.

8 **4. Line-item transfers. Meetings Votes** requested by a school board for the purpose
 9 of transferring funds from one category or line item to another must be posted for voter or
 10 council action within 15 days of the date of the request.

11 **Sec. E-29. PL 2009, c. 213, Pt. C, §17** is amended to read:

12 **Sec. C-17. Mill expectation.** The mill expectation pursuant to the Maine Revised
 13 Statutes, Title 20-A, section 15671-A for fiscal year 2009-10 is ~~6.73~~ 6.99 and must be
 14 lowered to ~~6.37~~ 6.69 as a result of funds provided under Title XIV of the State Fiscal
 15 Stabilization Fund of the federal American Recovery and Reinvestment Act of 2009 as
 16 part of the amount restored to school administrative units in fiscal year 2009-10.

17 **Sec. E-30. PL 2009, c. 213, Pt. C, §19** is amended to read:

18 **Sec. C-19. Local and state contributions to total cost of funding public**
 19 **education from kindergarten to grade 12.** The local contribution and the state
 20 contribution appropriation provided for general purpose aid for local schools for the fiscal
 21 year beginning July 1, 2009 and ending June 30, 2010 is calculated as follows:

	2009-10	2009-10
	LOCAL	STATE
Local and State Contributions to the Total Cost of Funding Public Education from Kindergarten to Grade 12		
Local and state contributions to the total cost of funding public education from kindergarten to grade 12 pursuant to the Maine Revised Statutes, Title 20-A, section 15683	\$923,174,744 <u>\$961,272,967</u>	\$958,971,492 <u>\$920,873,269</u>

1		
2	Portion to be paid from Federal IDEA	(\$11,600,000)
3	balance	
4		
5	<u>Adjusted state contribution - subject to</u>	<u>\$947,371,492</u>
6	<u>statewide distributions required by law</u>	<u>\$909,273,269</u>

7 **Sec. E-31. Mill expectation.** The mill expectation pursuant to the Maine Revised
 8 Statutes, Title 20-A, section 15671-A for fiscal year 2010-11 is 7.46 and must be lowered
 9 to 6.96 as a result of funds provided under Title XIV of the State Fiscal Stabilization
 10 Fund of the American Recovery and Reinvestment Act of 2009 as part of the amount
 11 restored to school administrative units in fiscal year 2010-11.

12 **Sec. E-32. Total cost of funding public education from kindergarten to**
 13 **grade 12.** The total cost of funding public education from kindergarten to grade 12 for
 14 fiscal year 2010-11 is as follows:

15		2010-11
16		TOTAL
17	Total Operating Allocation	
18		
19	Total operating allocation pursuant to the Maine	\$1,377,907,552
20	Revised Statutes, Title 20-A, section 15683 without	
21	transitions percentage	
22		
23	Total operating allocation pursuant to the Maine	\$1,336,568,385
24	Revised Statutes, Title 20-A, section 15683 with 97%	
25	transitions percentage	
26		
27	Total other subsidizable costs pursuant to the Maine	\$399,182,922
28	Revised Statutes, Title 20-A, section 15681-A	
29		
30	Total Operating Allocation	<hr/>
31		
32	Total operating allocation pursuant to the Maine	\$1,735,751,307
33	Revised Statutes, Title 20-A, section 15683 and total	
34	other subsidizable costs pursuant to Title 20-A, section	
35	15681-A	
36		
37	Total Debt Service Allocation	
38		
39	Total debt service allocation pursuant to the Maine	\$99,049,370
40	Revised Statutes, Title 20-A, section 15683-A	
41		
42	Total Adjustments and Miscellaneous Costs	

1
 2 Total adjustments and miscellaneous costs pursuant to \$74,663,270
 3 the Maine Revised Statutes, Title 20-A, sections 15689
 4 and 15689-A

5
 6 **Total Cost of Funding Public Education from**
 7 **Kindergarten to Grade 12**

8
 9 Total cost of funding public education from \$1,909,463,947
 10 kindergarten to grade 12 for fiscal year 2010-11
 11 pursuant to the Maine Revised Statutes, Title 20-A,
 12 chapter 606-B

13 **Sec. E-33. Local and state contributions to total cost of funding public**
 14 **education from kindergarten to grade 12.** The local contribution and the state
 15 contribution appropriation provided for general purpose aid for local schools for the fiscal
 16 year beginning July 1, 2010 and ending June 30, 2011 is calculated as follows:

	2010-11	2010-11
	LOCAL	STATE
17		
18		
19	Local and State Contributions to the Total	
20	Cost of Funding Public Education from	
21	Kindergarten to Grade 12	
22		
23	\$1,031,138,925	\$878,325,022
24	Local and state contributions to the total	
25	cost of funding public education from	
26	kindergarten to grade 12 pursuant to the	
27	Maine Revised Statutes, Title 20-A,	
28	section 15683 - subject to statewide	
	distributions required by law	

29 **Sec. E-34. Limit of State's obligation.** If the State's continued obligation for
 30 any individual component contained in sections 32 and 33 of this Part exceeds the level
 31 of funding provided for that component, any unexpended balances occurring in other
 32 programs may be applied to avoid proration of payments for any individual component.
 33 Any unexpended balances from this Part may not lapse but must be carried forward for
 34 the same purpose.

35 **Sec. E-35. Authorization of payments.** Sections 32 and 33 of this Part may not
 36 be construed to require the State to provide payments that exceed the appropriation of
 37 funds for general purpose aid for local schools for the fiscal year beginning July 1, 2010
 38 and ending June 30, 2011.

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PART F

Sec. F-1. Lapse; unencumbered balance; BGS - Capital Construction Repair. Notwithstanding any other provision of law, the State Controller shall lapse \$175,190 from the unencumbered balance in All Other and \$24,809 in Capital Expenditures from the General Fund BGS - Capital Construction Repair Fund account in the Department of Administrative and Financial Services to General Fund unappropriated surplus at the close of fiscal year 2009-10.

Sec. F-2. Transfer; unexpended funds; Sale of State Property account. Notwithstanding any other provision of law, the State Controller shall transfer \$55,174 in unexpended funds from the Other Special Revenue Funds, Sale of State Property account in the Department of Administrative and Financial Services to General Fund unappropriated surplus at the close of fiscal year 2009-10.

Sec. F-3. Transfer; unexpended funds; BPI Insurance and Loss Prevention Property account. Notwithstanding any other provision of law, the State Controller shall transfer \$22,536 in unexpended funds from the Other Special Revenue Funds, BPI Insurance and Loss Prevention account in the Department of Administrative and Financial Services to General Fund unappropriated surplus at the close of fiscal year 2009-10.

PART G

Sec. G-1. Transfer; unexpended funds; Food Vending Services account. Notwithstanding any other provision of law, the State Controller shall transfer \$70,000 in unexpended funds from the Other Special Revenue Funds, Food Vending Services account in the Department of Administrative and Financial Services to General Fund unappropriated surplus at the close of fiscal year 2009-10.

Sec. G-2. Transfer; unexpended funds; Bangor Campus Office Space account. Notwithstanding any other provision of law, the State Controller shall transfer \$75,000 by June 30, 2010 and \$25,000 by June 30, 2011 in unexpended funds from the Other Special Revenue Funds, Bangor Campus Office Space account in the Department of Administrative and Financial Services to General Fund unappropriated surplus.

Sec. G-3. Transfer; unexpended funds; Monument for Women Veterans account. Notwithstanding any other provision of law, the State Controller shall transfer \$9,500 in unexpended funds from the Other Special Revenue Funds, Monument for Women Veterans account in the Department of Administrative and Financial Services to General Fund unappropriated surplus at the close of fiscal year 2009-10.

Sec. G-4. Transfer; unexpended funds; Memorial for Emergency Medical Services Personnel account. Notwithstanding any other provision of law, the State Controller shall transfer \$2,000 in unexpended funds from the Other Special Revenue Funds, Memorial for Emergency Medical Services Personnel account in the Department of Administrative and Financial Services to General Fund unappropriated surplus at the close of fiscal year 2009-10.

PART SSSS

Sec. SSSS-1. Department of Health and Human Services to establish rate structure with 2 levels of crisis services. The Department of Health and Human Services shall establish a rate structure that supports 2 levels of crisis services. The department shall establish a higher rate for a comprehensive, high-quality integrated crisis service system for children and adults that simplifies intake for clients, provides for consumer participation and a single telephone hotline with triage to a "warm line" and supports community-based services as a preferred setting. The department shall establish a lower rate for crisis services that do not meet the higher level of service. The department shall adopt rules, which are routine technical rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, that describe 2 service levels.

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

SUMMARY

PART A

This Part makes appropriations and allocations of funds for the 2010-2011 biennium.

PART B

This Part makes appropriations and allocations of funds for approved reclassifications and range changes.

PART C

This Part authorizes the consolidation of information technology funding into a separate program account for technology within each agency. It also allows those accounts containing information technology funds that currently carry forward to continue to carry forward in a consolidated account within the information technology program established in each agency, resulting in each agency's having an information technology program that contains an account that lapses and an account that carries forward.

PART D

This Part transfers certain unexpended funds from the Baxter Compensation Authority account to General Fund unappropriated surplus at the end of fiscal year 2009-10.

PART E

1
2
3 This Part does the following.

4 1. It repeals statutory sections on budget requirements for school administrative
5 districts and community school districts that are no longer necessary.

6 2. It specifies a lower tuition rate calculation for school year 2009-2010 to reflect the
7 reduction in state aid to public school administrative units.

8 3. It provides clarification in audit requirements to reflect current statutory
9 requirements for the accounting of public funds in school administrative units.

10 4. It corrects cross-references.

11 5. It specifies the appropriate percentages necessary for the fiscal year 2010-11
12 funding level.

13 6. It provides that, beginning in fiscal year 2010-11, if the State is able to fund only a
14 percentage of its 55% share of the cost of the components of essential programs and
15 services, then local school administrative units that raise at least that same percentage of
16 their required local contribution may not be penalized by further reductions in state
17 subsidy. This provision is repealed as of June 30, 2012.

18 7. It removes minor capital project debt from the list of types of debt for which the
19 legislative body of each school administrative unit may vote to raise and appropriate
20 funds and removes minor capital debt from the warrant article and explanation required
21 for non-state-funded debt service approval.

22 8. It specifies a mill expectation of 6.69 for fiscal year 2009-10; the total cost of
23 funding public education from kindergarten to grade 12, consisting of total operating
24 allocation and the state and local share of those costs.

25 9. It specifies a mill expectation of 7.46 for fiscal year 2010-11 and the total cost of
26 funding public education from kindergarten to grade 12, consisting of total debt service
27 allocation, total adjustments and miscellaneous costs and state share percentage. It also
28 authorizes the lowering of the mill expectation from 7.46 to 6.96 with funds provided
29 under Title XIV of the State Fiscal Stabilization Fund of the American Recovery and
30 Reinvestment Act of 2009 as part of the amount restored to school administrative units in
31 fiscal year 2010-11.

32 10. It specifies the methods of cost-sharing that apply to school administrative
33 districts reorganized as regional school units pursuant to Public Law 2007, chapter 240 as
34 amended by chapter 668.

35 11. For purposes of calculating a school administrative unit's total operating
36 allocation, it clarifies the isolated small school adjustment is calculated with regard to
37 closing schools.

38 12. It revises one of the eligibility conditions for a school administrative unit to
39 qualify for an adjustment for debt service beginning with fiscal year 2010-11.

40 13. It clarifies a subsidy appeal to the State Board of Education.

1 transfer of these savings to the applicable programs by financial order upon approval of
2 the Governor as an adjustment to allocations.

3
4 **PART UUU**
5

6 This Part increases the fiscal year 2009-10 transfer to the Maine Budget Stabilization
7 Fund from \$3,643,615 by \$4,635,668 to \$8,279,283. It also provides for a transfer of
8 \$2,488,702 to the Maine Budget Stabilization Fund at the end of fiscal year 2010-11, to
9 provide for a balance of \$10,767,985 in the fund at the close of the biennium.

10
11 **PART VVV**
12

13 This Part provides additional time for a school administrative unit to comply with the
14 reorganization law if it approved a reorganization plan at a referendum prior to January
15 30, 2010 but is unable to implement the plan because the plan was rejected by one or
16 more of its proposed partners. The school administrative unit would be allowed to restart
17 the process to form a regional school unit with the same or other school administrative
18 units.

19
20 **PART WWW**
21

22 This Part allows the State Board of Property Tax Review to charge fees for petitions
23 for appeal that are filed with the board. It requires petitioners to pay the fee at the time the
24 petition for appeal is filed and creates the Property Tax Review Board Fund, in which
25 fees are deposited to assist in funding the board. It establishes filing fees of \$75 for
26 current use appeals and \$150 for appeals relating to nonresidential property or properties
27 with an equalized municipal valuation of \$1,000,000 or greater. There is no filing fee
28 imposed on municipalities appealing their equalized state valuations determined by
29 Maine Revenue Services. Fees are not required for any petition for appeal pending or
30 filed with the board prior to the effective date of this Act.

31
32 **PART XXX**
33

34 This Part extends the amount of time that the carry-forward of a school administrative
35 unit's unallocated balances may exceed 3% of the previous fiscal year's school budget.

36
37 **PART YYY**
38

39 This Part directs the State Librarian to designate a nonprofit organization as the
40 private support organization for the Maine State Library.

**124th MAINE LEGISLATURE****LD 1671****LR 2528(02)**

An Act Making Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2010 and June 30, 2011

Fiscal Note for Bill as Amended by Committee Amendment " A "
Committee: Appropriations and Financial Affairs
Fiscal Note Required: Yes

Fiscal Note

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
Cost (Savings)				
General Fund	(\$185,206,889)	(\$175,170,952)	(\$43,773,319)	(\$48,068,646)
Fund for a Healthy Maine	\$5,602,295	(\$1,520,646)	(\$420,663)	(\$429,229)
Appropriations/Allocations				
General Fund	(\$71,630,300)	(\$206,545,761)	(\$40,135,525)	(\$44,281,227)
Federal Expenditures Fund	\$30,503,350	(\$11,342,029)	\$2,559,048	\$2,496,594
Fund for a Healthy Maine	\$1,676,780	(\$2,976,416)	(\$420,663)	(\$429,229)
Other Special Revenue Funds	(\$15,938,049)	(\$5,660,030)	(\$6,581,506)	(\$6,457,989)
Federal Block Grant Fund	(\$250,455)	(\$1,090,255)	(\$1,121,538)	(\$1,153,760)
Federal Expenditures Fund ARRA	\$6,050,912	\$85,970,094	\$0	\$0
Financial and Personnel Services Fund	(\$99,246)	(\$150,284)	(\$115,566)	(\$119,033)
Office of Information Services Fund	\$28,168	\$134,231	\$141,359	\$148,701
Central Motor Pool	\$0	\$0	\$88	\$179
Bureau of Revenue Services Fund	(\$150,880)	(\$151,720)	\$0	\$0
Accident, Sickness and Health Insurance Internal Service Fund	\$0	\$0	\$548	\$1,112
State Lottery Fund	(\$59,049)	\$0	\$0	\$0
Employment Security Trust Fund	\$107,166,625	\$121,821,120	\$121,821,120	\$121,821,120
Revenue				
General Fund	\$13,976,009	\$30,995,294	\$3,637,794	\$3,787,419
Other Special Revenue Funds	(\$5,621,330)	\$2,439,047	\$11,846,547	\$11,854,422

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
Transfers				
General Fund	\$99,600,580	(\$62,370,103)	\$0	\$0
Federal Expenditures Fund	\$29,736,437	\$0	\$0	\$0
Fund for a Healthy Maine	(\$3,925,515)	(\$1,455,770)	\$0	\$0
Other Special Revenue Funds	(\$69,442,428)	\$57,724,669	\$0	\$0
Bureau of Revenue Services Fund	(\$350,000)	(\$200,000)	\$0	\$0
Retiree Health Insurance Fund	(\$46,146,818)	\$0	\$0	\$0

**Fund Detail by Section
Appropriations/Allocations**

General Fund

PART A, Section 1	(\$2,504,724)	(\$7,475,064)	(\$8,957,280)	(\$9,039,665)
PART A, Section 2	(\$272,888)	(\$337,908)	(\$248,086)	(\$252,916)
PART A, Section 3	(\$32,256)	(\$37,873)	(\$37,873)	(\$37,873)
PART A, Section 4	\$0	\$500	\$500	\$500
PART A, Section 5	(\$285,674)	\$182,500	\$0	\$0
PART A, Section 6	(\$50,195)	(\$53,113)	(\$54,706)	(\$56,347)
PART A, Section 7	\$0	(\$6,121)	(\$6,121)	(\$6,121)
PART A, Section 8	(\$1,676,873)	\$0	\$0	\$0
PART A, Section 9	(\$557,926)	(\$668,359)	(\$253,139)	(\$258,882)
PART A, Section 10	(\$263,001)	(\$751,160)	(\$769,060)	(\$787,497)
PART A, Section 11	\$0	\$3,500,000	\$3,500,000	\$3,500,000
PART A, Section 12	\$1,474,097	\$1,458,826	(\$298,639)	(\$303,173)
PART A, Section 13	\$0	(\$1,782)	(\$1,782)	(\$1,782)
PART A, Section 15	\$0	(\$6,538)	\$0	\$0
PART A, Section 16	\$0	(\$651)	(\$651)	(\$651)
PART A, Section 17	(\$418,355)	(\$632,947)	(\$626,421)	(\$642,906)
PART A, Section 18	(\$38,011,935)	(\$10,320,949)	(\$1,268,145)	(\$1,267,941)
PART A, Section 19	(\$4,067)	(\$4,117)	(\$4,117)	(\$4,117)
PART A, Section 21	(\$319,920)	(\$88,786)	\$200,000	\$200,000
PART A, Section 22	(\$170,682)	(\$110,276)	(\$82,491)	(\$84,746)
PART A, Section 23	\$0	(\$511,552)	(\$511,552)	(\$511,552)
PART A, Section 24	\$0	(\$2,707)	(\$2,707)	(\$2,707)
PART A, Section 25	\$1,414,880	(\$29,362,238)	(\$3,419,910)	(\$3,431,293)
PART A, Section 26	(\$12,407,767)	(\$130,121,630)	(\$15,606,389)	(\$19,600,442)
PART A, Section 27	(\$2,975)	(\$2,975)	(\$2,975)	(\$2,975)
PART A, Section 28	\$0	(\$2,327)	(\$2,327)	(\$2,327)
PART A, Section 29	\$0	(\$3,294)	\$0	\$0
PART A, Section 30	(\$15,329)	(\$15,515)	(\$15,515)	(\$15,515)
PART A, Section 31	(\$20,856)	(\$21,557)	(\$21,557)	(\$21,557)
PART A, Section 32	\$0	(\$2,768)	(\$2,768)	(\$2,768)
PART A, Section 33	\$0	(\$3,900)	(\$3,900)	(\$3,900)
PART A, Section 34	\$0	(\$600,590)	(\$600,590)	(\$600,590)

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
PART A, Section 35	(\$13,938)	(\$6,969)	\$37	\$76
PART A, Section 36	(\$800,000)	\$5,678	(\$119,410)	(\$119,410)
PART A, Section 37	(\$438,000)	(\$143,957)	\$304,000	\$304,000
PART A, Section 38	(\$159,180)	(\$149,901)	(\$97,748)	(\$99,619)
PART A, Section 39	(\$243,981)	(\$327,708)	(\$311,418)	(\$317,276)
PART A, Section 40	(\$263,403)	\$0	\$0	\$0
PART A, Section 41	\$0	(\$3,596)	(\$3,596)	(\$3,596)
PART A, Section 42	(\$3,465)	(\$61,784)	(\$63,368)	(\$65,000)
PART A, Section 43	\$0	(\$412)	(\$412)	(\$412)
PART A, Section 44	\$0	(\$13,217)	(\$13,217)	(\$13,217)
PART A, Section 46	(\$3,256)	(\$3,294)	\$0	\$0
PART A, Section 47	\$0	(\$32,712)	(\$32,712)	(\$32,712)
PART A, Section 48	(\$421,087)	(\$322,577)	(\$46,678)	(\$47,154)
PART A, Section 50	\$0	(\$2,436)	(\$2,436)	(\$2,436)
PART A, Section 51	\$153,500	\$0	\$0	\$0
PART A, Section 52	\$0	(\$1,134)	(\$1,134)	(\$1,134)
PART A, Section 53	(\$4,315,979)	(\$9,362,560)	(\$9,364,030)	(\$9,365,544)
PART A, Section 54	(\$5,970,065)	\$0	\$0	\$0
PART B, Section 1	\$0	\$0	\$6,943	\$14,095
PART J, Section 5	\$0	(\$15,882,850)	\$0	\$0
PART N, Section 2	\$0	(\$874,652)	\$0	\$0
PART T, Section 2	(\$25,000)	(\$454,068)	(\$454,068)	(\$454,068)
PART CC, Section 3	\$0	(\$814,664)	\$0	\$0
PART RR, Section 2	(\$2,000,000)	(\$2,000,000)	(\$2,000,000)	(\$2,000,000)
PART III, Section 2	(\$3,000,000)	(\$1,250,000)	\$0	\$0
PART JJJJ, Section 3	\$0	(\$225,000)	(\$225,000)	(\$225,000)
PART RRRR, Section 2	\$0	\$1,386,923	\$1,386,923	\$1,386,923
Federal Expenditures Fund				
PART A, Section 2	\$188,770	\$191,550	\$196,592	\$201,785
PART A, Section 5	\$0	\$75,000	\$75,000	\$75,000
PART A, Section 9	\$13,167	\$14,333	\$0	\$0
PART A, Section 10	\$0	\$15,000	\$15,000	\$15,000
PART A, Section 12	\$3,630,083	\$3,760,030	\$3,697,248	\$3,718,165
PART A, Section 14	\$0	\$8,025,915	\$0	\$0
PART A, Section 18	(\$215,285)	(\$618,830)	(\$622,915)	(\$627,122)
PART A, Section 21	\$0	\$329,234	\$341,132	\$353,387
PART A, Section 22	\$20,239	\$495,475	\$496,080	\$496,703
PART A, Section 26	\$25,429,630	(\$29,727,406)	(\$7,738,605)	(\$7,837,742)
PART A, Section 35	\$47,791	\$2,936	\$3,023	\$3,113
PART A, Section 37	\$1,225,552	\$3,020,987	\$3,019,621	\$3,018,215
PART A, Section 39	(\$9,326)	(\$19,757)	(\$19,864)	(\$19,974)
PART A, Section 51	\$12,092	\$37,250	\$38,368	\$39,519
PART B, Section 1	\$160,637	\$65,399	\$67,513	\$69,690
PART RRRR, Section 2	\$0	\$2,990,855	\$2,990,855	\$2,990,855

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
Fund for a Healthy Maine				
PART A, Section 1	\$536,000	\$0	\$0	\$0
PART A, Section 25	\$0	(\$181,408)	\$0	\$0
PART A, Section 26	\$0	(\$1,464,426)	(\$420,663)	(\$429,229)
PART A, Section 48	\$1,140,780	\$0	\$0	\$0
PART TTT, Section 1	\$0	(\$1,330,582)	\$0	\$0
Other Special Revenue Funds				
PART A, Section 2	\$1,844,682	\$1,956,009	\$1,890,620	\$1,893,719
PART A, Section 5	(\$89,269)	(\$112,427)	(\$112,427)	(\$112,427)
PART A, Section 6	\$13,589	\$53,113	\$54,706	\$56,347
PART A, Section 8	\$86,468	\$84,721	\$84,721	\$84,721
PART A, Section 9	(\$47,400)	\$29,021	\$29,031	\$29,041
PART A, Section 11	(\$56,748)	(\$56,748)	(\$56,748)	(\$56,748)
PART A, Section 12	(\$360)	\$23,861	\$23,923	\$23,987
PART A, Section 17	(\$322,301)	(\$3,581,306)	(\$3,581,306)	(\$3,581,306)
PART A, Section 18	(\$56,050)	\$347,515	\$351,600	\$355,807
PART A, Section 20	\$0	\$50,000	\$0	\$0
PART A, Section 21	\$169,671	\$223,313	(\$123,515)	(\$133,356)
PART A, Section 22	(\$20,239)	\$13,002	\$13,369	\$13,747
PART A, Section 23	\$25,000	\$25,000	\$25,000	\$25,000
PART A, Section 25	(\$381,701)	(\$2,215,461)	(\$2,241,868)	(\$2,269,069)
PART A, Section 26	(\$1,058,013)	\$15,927,936	\$15,490,353	\$15,638,312
PART A, Section 34	\$0	\$142,600	\$142,600	\$142,600
PART A, Section 35	\$15,000	\$0	\$0	\$0
PART A, Section 36	\$85,908	(\$49,540)	(\$49,540)	(\$49,540)
PART A, Section 37	\$43,278	\$45,972	\$47,338	\$48,745
PART A, Section 39	\$195,706	\$239,759	\$243,833	\$248,029
PART A, Section 45	(\$190,901)	(\$165,980)	(\$170,777)	(\$175,719)
PART A, Section 48	\$126,553	\$106,332	\$106,512	\$106,697
PART A, Section 49	\$0	\$54,515	\$56,115	\$57,763
PART A, Section 51	(\$12,092)	(\$37,250)	(\$38,368)	(\$39,519)
PART A, Section 53	(\$16,605,475)	(\$18,995,879)	(\$18,995,879)	(\$18,995,879)
PART A, Section 54	\$172,936	\$169,443	\$169,443	\$169,443
PART B, Section 1	\$123,709	\$57,959	\$59,758	\$61,609
PART EEEE, Section 4	\$0	\$4,490	\$0	\$0
Federal Block Grant Fund				
PART A, Section 26	(\$250,455)	(\$1,090,255)	(\$1,121,538)	(\$1,153,760)
Federal Expenditures Fund ARRA				
PART A, Section 26	\$6,050,912	\$85,735,558	\$0	\$0
PART RRRR, Section 2	\$0	\$234,536	\$0	\$0

CACT-140

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
Financial and Personnel Services Fund				
PART A, Section 1	(\$99,246)	(\$150,284)	(\$115,566)	(\$119,033)
Office of Information Services Fund				
PART A, Section 1	\$28,168	\$134,231	\$138,258	\$142,406
PART B, Section 1	\$0	\$0	\$3,101	\$6,295
Central Motor Pool				
PART B, Section 1	\$0	\$0	\$88	\$179
Bureau of Revenue Services Fund				
PART A, Section 1	(\$150,880)	(\$151,720)	\$0	\$0
Accident, Sickness and Health Insurance Internal Service Fund				
PART B, Section 1	\$0	\$0	\$548	\$1,112
State Lottery Fund				
PART A, Section 1	(\$59,049)	\$0	\$0	\$0
Employment Security Trust Fund				
PART A, Section 37	\$107,166,625	\$121,821,120	\$121,821,120	\$121,821,120
Revenue				
General Fund				
PART A, Section 1	\$59,049	\$0	\$0	\$0
PART A, Section 2	(\$172,540)	(\$186,706)	(\$186,706)	(\$186,706)
PART FF, Section 1	\$0	\$1,500,000	\$0	\$0
PART GG, Section 1	\$0	\$2,850,000	\$2,992,500	\$3,142,125
PART HH, Section 1	\$0	\$9,500,000	(\$1,900,000)	(\$1,900,000)
PART II	\$0	\$500,000	\$500,000	\$500,000
PART JJ, Section 1	\$6,000,000	\$10,000,000	\$0	\$0
PART LL, Section 1	\$712,500	\$0	\$0	\$0
PART LL, Section 2	\$7,125,000	\$712,500	\$712,500	\$712,500
PART VV, Section 1	\$0	\$4,200,000	\$0	\$0
PART BBBB, Section 1	\$0	\$400,000	\$0	\$0
PART LLLL, Section 1	\$250,000	\$1,500,000	\$1,500,000	\$1,500,000
PART NNNN, Section 1	\$2,000	\$19,500	\$19,500	\$19,500

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
Other Special Revenue Funds				
PART A, Section 26	\$0	\$500,000	\$500,000	\$500,000
PART GG, Section 1	\$0	\$150,000	\$157,500	\$165,375
PART HH, Section 1	\$0	\$500,000	(\$100,000)	(\$100,000)
PART JJ, Section 1	(\$6,000,000)	(\$10,000,000)	\$0	\$0
PART LL, Section 1	\$37,500	\$0	\$0	\$0
PART LL, Section 2	\$375,000	\$37,500	\$37,500	\$37,500
PART AAA, Section 1	\$0	\$11,351,537	\$11,351,537	\$11,351,537
PART EEE, Section 1	(\$34,330)	(\$102,990)	(\$102,990)	(\$102,990)
PART WWW, Section 46	\$500	\$3,000	\$3,000	\$3,000

Transfers

General Fund

PART D, Section 1	\$2,570	\$0	\$0	\$0
PART F, Section 1	\$199,999	\$0	\$0	\$0
PART F, Section 2	\$55,174	\$0	\$0	\$0
PART F, Section 3	\$22,536	\$0	\$0	\$0
PART G, Section 1	\$70,000	\$0	\$0	\$0
PART G, Section 2	\$75,000	\$25,000	\$0	\$0
PART G, Section 3	\$9,500	\$0	\$0	\$0
PART G, Section 4	\$2,000	\$0	\$0	\$0
PART H, Section 1	\$227,359	\$0	\$0	\$0
PART H, Section 2	\$746	\$0	\$0	\$0
PART H, Section 3	\$0	\$131,671	\$0	\$0
PART H, Section 4	\$7,337	\$0	\$0	\$0
PART H, Section 5	\$16,074	\$0	\$0	\$0
PART I, Section 1	\$0	\$987,605	\$0	\$0
PART I, Section 2	\$44,814	\$0	\$0	\$0
PART J, Section 1	\$22,590,806	\$0	\$0	\$0
PART J, Section 2	\$23,556,012	\$0	\$0	\$0
PART J, Section 4	\$0	\$3,739,191	\$0	\$0
PART K, Section 1	\$140,000	\$0	\$0	\$0
PART L, Section 1	\$3,500,191	\$0	\$0	\$0
PART L, Section 2	\$75,107	\$0	\$0	\$0
PART L, Section 3	\$1,600,000	\$0	\$0	\$0
PART M, Section 1	\$3,925,515	\$1,455,770	\$0	\$0
PART P, Section 1	\$5,810	\$0	\$0	\$0
PART Q, Section 1	\$3,205	\$0	\$0	\$0
PART R, Section 1	\$2,960	\$0	\$0	\$0
PART S, Section 1	\$211,904	\$0	\$0	\$0
PART X, Section 4	\$292,968	\$0	\$0	\$0
PART Z, Section 2	\$192,949	\$0	\$0	\$0
PART Z, Section 3	\$87,681	\$0	\$0	\$0
PART Z, Section 4	\$2,000	\$0	\$0	\$0

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
PART AA, Section 1	\$50,000	\$150,000	\$0	\$0
PART AA, Section 2	\$19,974	\$92,296	\$0	\$0
PART AA, Section 3	\$0	\$400,000	\$0	\$0
PART AA, Section 4	\$29,635	\$0	\$0	\$0
PART BB, Section 1	\$35,500	\$0	\$0	\$0
PART CC, Section 1	\$1,096,299	\$0	\$0	\$0
PART CC, Section 2	\$0	\$1,198,166	\$0	\$0
PART DD, Section 1	\$350,000	\$200,000	\$0	\$0
PART KK, Section 1	(\$6,119,961)	\$0	\$0	\$0
PART OO, Section 1	\$13,500,000	\$0	\$0	\$0
PART QQ, Section 1	\$140,000	\$0	\$0	\$0
PART SS, Section 1	\$929,280	\$723,114	\$0	\$0
PART TT, Section 1	\$0	\$3,851,454	\$0	\$0
PART BBB, Section 1	(\$3,804,827)	\$0	\$0	\$0
PART BBB, Section 2	(\$1,569,406)	\$0	\$0	\$0
PART BBB, Section 3	(\$439,694)	\$0	\$0	\$0
PART CCC, Section 1	\$68,200,000	(\$68,200,000)	\$0	\$0
PART UUU, Section 1	\$0	(\$7,124,370)	\$0	\$0
PART KKKK, Section 1	(\$29,736,437)	\$0	\$0	\$0
Federal Expenditures Fund				
PART KKKK, Section 1	\$29,736,437	\$0	\$0	\$0
Fund for a Healthy Maine				
PART M, Section 1	(\$3,925,515)	(\$1,455,770)	\$0	\$0
Other Special Revenue Funds				
PART D, Section 1	(\$2,570)	\$0	\$0	\$0
PART F, Section 2	(\$55,174)	\$0	\$0	\$0
PART F, Section 3	(\$22,536)	\$0	\$0	\$0
PART G, Section 1	(\$70,000)	\$0	\$0	\$0
PART G, Section 2	(\$75,000)	(\$25,000)	\$0	\$0
PART G, Section 3	(\$9,500)	\$0	\$0	\$0
PART G, Section 4	(\$2,000)	\$0	\$0	\$0
PART H, Section 1	(\$227,359)	\$0	\$0	\$0
PART H, Section 2	(\$746)	\$0	\$0	\$0
PART H, Section 3	\$0	(\$131,671)	\$0	\$0
PART H, Section 4	(\$7,337)	\$0	\$0	\$0
PART H, Section 5	(\$16,074)	\$0	\$0	\$0
PART I, Section 1	\$0	(\$987,605)	\$0	\$0
PART I, Section 2	(\$44,814)	\$0	\$0	\$0
PART J, Section 4	\$0	(\$3,739,191)	\$0	\$0
PART K, Section 1	(\$140,000)	\$0	\$0	\$0
PART L, Section 1	(\$3,500,191)	\$0	\$0	\$0

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
PART L, Section 2	(\$75,107)	\$0	\$0	\$0
PART L, Section 3	(\$1,600,000)	\$0	\$0	\$0
PART R, Section 1	(\$2,960)	\$0	\$0	\$0
PART X, Section 4	(\$292,968)	\$0	\$0	\$0
PART Z, Section 2	(\$192,949)	\$0	\$0	\$0
PART Z, Section 3	(\$87,681)	\$0	\$0	\$0
PART Z, Section 4	(\$2,000)	\$0	\$0	\$0
PART AA, Section 2	(\$19,974)	(\$92,296)	\$0	\$0
PART AA, Section 3	\$0	(\$400,000)	\$0	\$0
PART AA, Section 4	(\$29,635)	\$0	\$0	\$0
PART BB, Section 1	(\$35,500)	\$0	\$0	\$0
PART QQ, Section 1	(\$140,000)	\$0	\$0	\$0
PART SS, Section 1	(\$929,280)	(\$723,114)	\$0	\$0
PART TT, Section 1	\$0	(\$3,851,454)	\$0	\$0
PART BBB, Section 1	\$3,804,827	\$0	\$0	\$0
PART BBB, Section 2	\$1,569,406	\$0	\$0	\$0
PART BBB, Section 3	\$439,694	\$0	\$0	\$0
PART CCC, Section 1	(\$67,675,000)	\$67,675,000	\$0	\$0
Bureau of Revenue Services Fund				
PART DD, Section 1	(\$350,000)	(\$200,000)	\$0	\$0
Retiree Health Insurance Fund				
PART J, Section 1	(\$22,590,806)	\$0	\$0	\$0
PART J, Section 2	(\$23,556,012)	\$0	\$0	\$0



TESTIMONY SIGN UP SHEET

JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS
&
JOINT STANDING COMMITTEE ON EDUCATION & CULTURAL AFFAIRS

DATE: January 14, 2010 LD 1671

<u>NAME</u>	<u>TOWN/AFFILIATION</u>	<u>FOR</u>	<u>AGAINST</u>	<u>NEITHER FOR NOR AGAINST</u>	<u>PLEASE SPECIFY ISSUE(S)</u>
Donna McNeil	ME Arts Commission	X			
Earl Shuttelworth	ME Historic Preservation	X			
J.R. Philips	ME State Museum	X			
Linda Lord	ME State Library	X			
Erik Jorgensen	ME Humanities Society	X			
Earl Shuttleworth	ME State Cultural Affairs Council	X			
Lisa Savage	Solon		X		
Bruce Gagne			X		
Mark Rohman	Solon		X		
Peter Woodruff	Arrowsic		X		
Herbert Hoffman	Ogunquit		X		
Jim Dowe	ME Public Broadcasting Network	X			
Craig Dennicus	ME Portland Broadcasting Network	X			
Dave Sharpe	MPBN Employees Association		X		
Elizabeth Bordowitz	Finance Authority of ME	X			
Richard Ericson	ME Maritime Academy	X			



TESTIMONY SIGN UP SHEET

JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS
&
JOINT STANDING COMMITTEE ON EDUCATION & CULTURAL AFFAIRS

DATE: January 14, 2010 LD 1671

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<u>NAME</u>	<u>TOWN/AFFILIATION</u>	<u>FOR</u>	<u>AGAINST</u>	<u>NEITHER FOR NOR AGAINST</u>	<u>PLEASE SPECIFY ISSUE(S)</u>
John Fitzsimmons, President	ME Community College System	X			
Richard Pattenaude	UM System	X			
Kerry Ann Sullivan	Raymond		X		
Rebecca Dyer	Yarmouth		X		
Dustin Ward	USM		X		
Ronald Mosley	UM at Machias		X		
Mary Anne Turowski	MSEA-SEIU Local 1989		X		
Leslie Lafond	Wells/Ogunquit Schools		X		
Amy O'Brien Brown	Lisbon		X		
Sally Plourde	Westbrook		X		
Diane Smith	Disability Rights		X		
Roger Shaw	ME School Superintendents		X		
Robert Howe	ME Assn of Independent Schools		X		
Joy Pinkerton	Lincoln Academy		X		
James Morse	Portland		X		
Leo Todd	RSU 57		X		



TESTIMONY SIGN UP SHEET

JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS
&
JOINT STANDING COMMITTEE ON EDUCATION & CULTURAL AFFAIRS

DATE: January 14, 2010 LD 1671

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<u>NAME</u>	<u>TOWN/AFFILIATION</u>	<u>FOR</u>	<u>AGAINST</u>	<u>NEITHER FOR NOR AGAINST</u>	<u>PLEASE SPECIFY ISSUE(S)</u>
Michael Dusol	Chelsea		X		
Alan Cobo-Lewis	Orono		X		
Kathleen Casasa	Portland		X		
Julia Bell (Read 2 letters)	Disability Rights		X		
Dean Crocker	Maine Children's Alliance		X		
Cathy Newell	Adult Ed		X		
Zane Clement	Adult Ed		X		
Michael Thurston	Winslow High School		X		
Leon Levesque	Supt. Lewiston Schools		X		
Ashley O'Brien	Livermore / Livermore Falls		X		
Debra Dunn	CDS		X		
Thomas Moore	Bingham		X		
Crystal Ward			X		
Mary Anne Turowski	MSEA-SEIU Local 1989		X		
Yellow Light Breen	ME Coalition for Excellence in EDU		X		

**TESTIMONY
OF
SUSAN A. GENDRON, COMMISSIONER
DEPARTMENT OF EDUCATION**

Before the Joint Standing Committee on Appropriations and Financial Affairs
And the Joint Standing Committee on Education and Cultural Affairs
Hearing Date: January 14, 2010

**LD 1671 "An Act Making Supplemental Appropriations and Allocations for
the Expenditures of State Government, General Fund and Other Funds,
and Changing Certain Provisions of the Law Necessary to the Proper
Operations of State Government for the Fiscal Years Ending
June 30, 2010 and June 30, 2011"
(EMERGENCY)**

Senators Diamond and Alford, Representatives Cain and Sutherland, and Members of the Joint Standing Committees on Appropriations and Financial Affairs and Education and Cultural Affairs. My name is Susan Gendron, Commissioner of the Department of Education. I am here today to present testimony in support of those Departmental General Fund initiatives presented in L.D. 1671, the Supplemental Budget.

By way of summary before I begin my formal testimony, the Department of Education has ten (10) General Fund initiatives in **PART A** which include funding reductions continued from the FY 09 Supplemental Budget and new recommended funding reductions.

PART E provides the adjusted FY 11 recommended funding level for general purpose aid for local schools, specifies the mill expectation and the total cost of funding public education from kindergarten to grade 12 adjusted for a deduction in General Purpose Aid and for the impact of funds from the American Recovery and Reinvestment Act.

PARTS U, V, W, X, and QQ are proposed statutory language changes regarding several education related matters.

I will present testimony on these initiatives in the order that the initiatives appear in the Committee Public Hearing Schedule provided to us by OFPR and by the **Policy Committee Working Document** page number.

PART A

GENERAL PURPOSE AID FOR LOCAL SCHOOLS

The **PART A** supplemental initiative for General Purpose Aid (GPA) for Local Schools is in three (3) parts and may be found on pages **EDU-10 and EDU-11 of the Committee Document**.

The first part on page **EDU-10 and EDU-11** reorganizes one Director, Planning and Management Information position to a Public Service Executive II, School Finance and Operations, Team Leader position to reflect changes in the

responsibilities of the position and the reorganization of the Department of Education. (See also Language **PART W** on page **EDU-48**.)

The second part on page **EDU-11** provides funding for direct care stipends for 2 Office Associate II positions and 2 Education Specialist II positions who work in the Department of Corrections facilities at Long Creek Youth Development Center and Mountain View Youth Development Center pursuant to a memorandum of agreement, dated July 21, 2009, related to the Administrative and Professional and Technical collective bargaining agreements. Funding is offset by a decrease in state travel.

The third part on page **EDU-11** reduces funding for General Purpose Aid for Local Schools subsidy by \$38,098,223 in FY 10 and \$35,123,138 in FY 11, resulting in the state share of funding public education at 44.67% at 97% of Essential Programs and Services (EPS). This initiative relates to the curtailment ordered in Financial Order 005539 F 10.

LANGUAGE PART E

The **PART E** supplemental initiative is in twenty-six (26) parts and may be found on pages **EDU-34 to EDU-43 of the Committee Document**.

PART E provides the adjusted FY 11 recommended funding level for General Purpose Aid for Local Schools, specifies the mill expectation and the total cost of funding public education from kindergarten to grade 12. Specifically, **PART E**:

- Repeals statutory sections on budget requirements for school administrative districts and community school districts that are no longer necessary.
- Adjusts the inflation factor for tuition rate calculations for public and private secondary schools to be consistent with more current inflationary factors.
- Specifies a lower private secondary school tuition rate calculation for school year 2009-2010 to reflect the reduction in state aid to public school administrative units.
- Provides clarification in audit requirements to reflect current statutory requirements for the accounting of public funds in school administrative units.
- Corrects a cross-reference.
- Specifies the appropriate percentages necessary for the fiscal year 2010-11 funding level.
- Removes minor capital project debt from the list of types of debt for which the legislative body of each school administrative unit may vote to raise and appropriate funds and removes minor capital debt from the warrant article and explanation required for non-state-funded debt service approval.
- Specifies a mill expectation of 6.69 for fiscal year 2009-10; the total cost of funding public education from kindergarten to grade 12, consisting of total

operating allocation and the state and local share of those costs; and a waiver from the requirement that school administrative units must raise the additional mill rate expectation to reach 6.69 mills or face a reduction in the state contribution.

- Specifies a mill expectation of 7.66 for fiscal year 2010-11 and the total cost of funding public education from kindergarten to grade 12, consisting of total debt service allocation, total adjustments and miscellaneous costs and state share percentage. It also authorizes the lowering of the mill expectation from 7.66 to 7.14 with funds provided under Title XIV of the State Fiscal Stabilization Fund of the federal American Recovery and Reinvestment Act of 2009 as part of the amount restored to school administrative units in fiscal year 2010-11.

LANGUAGE PART V

The **PART V** supplemental initiative amends the statute related to child care programs in the Essential Programs and Services Funding Act and the Child Development Services (CDS) system and may be found on page **EDU-47 of the Committee Document**. Specifically it repeals the provision of law on subsidizable costs of operating child care programs in private secondary schools that references the Essential Programs and Services Funding Act, and removes the option allowing children who reach 5 years of age between July 1st and October

15th, instead of the current September 1st and October 15th, to continue with the Child Development Services System as part of the Department of Education's effort to align the state requirement with the federal requirement. This amendment is connected to the CDS **PART A** initiative on page **EDU-8 of the Committee Document**.

PART A

ADULT EDUCATION

The **PART A** supplemental initiative for Adult Education is in one (1) part and may be found on page **EDU-8 of the Committee Document**.

The initiative on page **EDU-8** proposes reduction of \$580,000 in FY 11 in the areas of GED Test Administration, the College Transition programs and state subsidy program funds. This reduction will likely require adjustments at the local level but will not impact Maintenance of Effort (MOE) for federal funds due to a new level negotiated by the Department of Education.

CHILD DEVELOPMENT SERVICES

The **PART A** supplemental initiative for Child Development Services (CDS) is in one (1) part and may be found on pages **EDU-8 and EDU-9 of the Committee Document**.

This part on pages **EDU-8 and EDU-9** reduces funding of the Child Development Services by \$1,290,000 in FY 11 by changing the structure of the CDS regional system as well as proposed statutory changes in **PART U (EDU-46)** and **PART V (EDU-47)** of this supplemental budget.

LEADERSHIP TEAM

The **PART A** supplemental initiative for Leadership Team is in one (1) part and may be found on page **EDU-13 of the Committee Document**.

This part on page **EDU-13** provides one-time funding for \$90,788 for reimbursement to School Administrative District 11 for retirement benefits the District paid by error to the MSPRS. (See also **PART X** page **EDU-49**).

MANAGEMENT INFORMATION SYSTEMS

The **PART A** supplemental initiative for the Management Information Systems is in one (1) part and may be found on pages **EDU-14 of the Committee Document**.

This initiative adjusts funding to correct a negative appropriation created by PL 2009, Chapter 213, Part A-21, which deappropriated \$190,000 from the Management Information Systems program after the funds had been moved to the School Finance and Operations program in a departmental reorganization of programs and accounts. This initiative adjusts the deappropriation to the new

program where the funds now reside. The result is a net zero. (See also page **EDU-16**).

PROFESSIONAL DEVELOPMENT AND EDUCATION FUND

The **PART A** supplemental initiative for the Professional Development and Education Fund is in one (1) part and may be found on page **EDU-15 of the Committee Document**.

This part eliminates funding of \$4,500 for the Professional Development and Education Fund. This initiative relates to the curtailment ordered in Financial Order 005539 F 10.

The Professional Development and Education Fund supports Department of Education staff enrollment in post secondary courses and other education opportunities to enhance their skills, education and performance.

RETIRED TEACHERS' HEALTH INSURANCE

The **PART A** supplemental initiative for the Retired Teachers' Health Insurance is in one (1) part and may be found on page **EDU-15 of the Committee Document**.

this program provides funding for health insurance benefits for Maine's retired teachers.

This part reduces funding by \$93,843 for retired teachers' health insurance as a result of savings achieved through a rate reduction in retiree health insurance affecting departments and agencies statewide. I will defer specific questions regarding this part to Commissioner Low.

SCHOOL FINANCE AND OPERATIONS

The **PART A** supplemental initiative for School Finance and Operations is in one (1) part and may be found on pages **EDU-15 and EDU-16 of the Committee Document.**

This part on pages **EDU-15 and EDU-16** reflects the part addressing the same \$190,000 adjustment in the Management Information Systems on page **EDU-14 of the Committee Document.**

LANGUAGE PART U

The **PART U** supplemental initiative amends the statute related to timelines of complaint filing and may be found on page **EDU-46 of the Committee Document.**

PART U removes the option of providing more than one year for an interested party to allege a violation of compliance with statutory requirements regarding the education of children with disabilities and file a complaint. This statutory

amendment is proposed as part of the Department of Education's effort to align the state requirement with the federal requirement.

LANGUAGE PART W

The **PART W** supplemental initiative amends the statutes related to a Director, Planning and Management Information position is in two (2) parts and may be found on page **EDU-48 of the Committee Document**.

The first part on page **EDU-48** amends the Maine Revised Statutes, Title 5 to remove the Director, Planning and Management Information position from the list of major policy-influencing positions within the Department of Education. This unclassified position will be reclassified in **PART A** to a Public Service Executive II position, a classified position within the Department. This reclassification will reflect the level of responsibility and function of similar classifications within the Department.

The second part on page **EDU-48** amends Title 20-A to remove the Director, Planning and Management Information from the list of the Commissioner of Education's appointments within the Department. The bill also removes the position of Director of Special Projects and External Affairs within the Department. This position was deleted from the list of major policy-influencing positions in Title 5 by Public Law 2007, Chapter 1, Part D, section 1. It should

have been removed from Title 20-A at the same time. This Part corrects that error and provides the statutory action for the **PART A** initiative on page **EDU-10 and EDU-11 of the Committee Document.**

LANGUAGE PART X

The **PART X** supplemental initiative is in four (4) parts and may be found on page **EDU-49 and EDU-50 of the Committee Document.**

The first part on page **EDU-49** amends Public Law 2005, chapter 519, Part WW, section 1 to provide that the net proceeds of selling used computers and peripheral equipment by the Maine Learning Technology Initiative (MLTI) and purchase by a school administrative unit must be deposited in the Learning Through Technology General Fund account.

The second part on page **EDU-49** provides that certain FY 2007-08 carry forward balances originally authorized to Management Information Systems (MIS) will now carry forward in the School Finance and Operations program.

The third part on page **EDU-49** amends Resolve 2007, chapter 217, section 1 and removes the required offset of the \$90,788 appropriation for the reimbursement from the Teacher Retirement account. (See also page **EDU-13**).

The fourth part on page **EDU-49** lapses \$292,968 in unencumbered balance forward from the Workshops Other Special Revenue Funds account to the General fund in accordance with statutory provisions in Title 5, Chapter 143, §1550.

LANGUAGE PART QQ

The **PART QQ** supplemental initiative of the Criminal History Record Check Fund account is in one (1) part and may be found on page **EDU-53 of the Committee Document**.

This part on page **EDU-53** transfers \$140,000 in unexpended funds from the Criminal History Record Check Fund, Other Special Revenue account in the Department of Education to the unappropriated surplus of the General Fund. These funds are a result of using rent-free facilities to administer the fingerprinting process.

I am pleased to have presented the Department's **PART A** supplemental budget and supplemental language request, and we all look forward to working with both Committees in the days ahead to resolve the funding crisis addressed in LD 1671 while preserving equity for every student toward the achievement of Maine's Learning Results.



Maine
Education
Association

Leading the Way to Great Public Schools for Every Maine Student

Christopher J. Galgay *President*
Lois Kilby-Chesley *Vice President*
Joyce A. Blakney *Treasurer*
Grace E. Leavitt *NEA Director*
Dan Allen *NEA Director*

Mark L. Gray *Executive Director*

January 14th, 2010

Senator Diamond, Representative Cain, members of the Appropriations and Financial Affairs Committee. Senator Alford, Representative Sutherland, members of the Education and Cultural Affairs Committee. My name is Chris Galgay and I am a teacher at Hartford Sumner Elementary School. I am presently serving as President of the Maine Education Association.

As I am sure most of you know the MEA represents approximately 25,000 Maine educators who work in every K-12 public school system in Maine, in our Community Colleges across the state, and within the University of Maine System.

I am here today to urge you to exercise the utmost caution in dealing with the Governor's budget to K-12 public schools, the Community Colleges, and the University of Maine System.

Like most Mainers I am keenly aware that these are very tough economic times, however, I hope that this committee will have the wisdom and foresight to look beyond the next few weeks. It is clear to me that Maine cannot use a budget ax to cut its way to prosperity.

Cutting state aid to K-12 schools and the University Maine and Community College Systems is a false economy. It will make things worse, not better. Layoffs will dampen the economy further, lower the quality of our educational programs and reduce our ability to create good jobs.

Make no mistake about it, if state budget cuts continue, the quality of education provided to Maine students will deteriorate as programs are cut, class sizes increase, and learning opportunities are curtailed. Without a concerted effort to change this direction, the downward economic spiral continues unabated.

Education must be a primary tool to fight this recession. Through our K-12 programs we prepare students to compete in a world marketplace and through the University of Maine and Community College Systems we develop the skills and talents of our citizens to attract good jobs to Maine and reinvigorate our economy.



Mainers know these hard times require sacrifices – and one of those may be to increase State revenues through additional fees and taxes. By spreading the burden across the entire state we will build the foundation for economic recovery, preserve an excellent system of public education, and avoid severe hardships for our citizens.

Education and educators have already shouldered their share of the burden during these tough times. Our salaries are among the lowest in the nation; our retirement plan was severely reduced over the last 15 years by the Maine Legislature and the U.S. Congress; and, our teaching and learning conditions are inadequate for far too many children.

Simply stated, the cuts being contemplated for education in this budget and the next will have severe, long-term negative consequences.

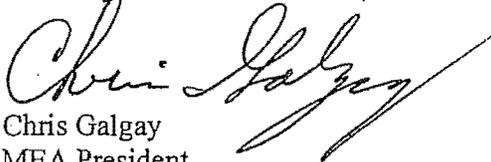
Let me remind you that the voters have solidly opposed cuts in education. They voted against the Palesky Tax Cap in 2004; they voted against TABOR I in 2006; and, they voted against the TABOR II and the Excise Tax Cap in 2009.

Maine voters also endorsed the use of the state's broad-based tax revenues to support education in 2004 when they voted in favor of Question 1. They wanted the state to pay 55% of the cost of K-12 education immediately and take the burden of funding our public schools off the local property tax.

That commitment to education, that promise to voters, that relief for property tax payers was never fulfilled. In fact, if these cuts are adopted, the state's share of the cost of K-12 education will plummet to less than 44% -- shifting the burden once again to local schools to make cuts or increase property taxes.

In closing I would like to say again that I truly understand that you have many difficult decisions to make in the days ahead, but please keep in mind that although education is reflected as a cost in the state budget, every dollar the state spends on education is an investment in the state's economy.

Sincerely,



Chris Galgay
MEA President

PUBLIC HEARING TESTIMONY

LD 1671

January 14, 2010

Senator Diamond, Representative Cain, members of the Appropriations Committee. I am Les LaFond, a member of the Wells/Ogunquit Community School District school committee. I will keep my remarks brief today as I understand the Committee's many time constraints.

As a school committee, we certainly understand the need to respond to the current economic scene and the decrease in projected revenues. However, when the Appropriations Committee is considering the significant budgets reductions proposed for K-12 education in the Governor's proposed supplemental budget, we would hope that the reductions would be more equitably spread among all departments.

There is no need to dwell on the fact that the proposed reductions will leave school districts with two alternatives – increase the local tax burden or cut programs and services to our children. Needless to say, neither is palatable. The proposed drop in aid, which puts the state share of education at 43% of costs, is shifting the burden of educating children onto the shoulders of the local property taxpayer at a time when they can least afford it. Compounding the issue, is the fact that the state has also cut local revenue sharing, resulting in less state aid going to municipalities.

Prior and current administrations have underscored the need to increase the educational quality and raise the level of graduation rates in the State. People have finally come to the realization that educational levels attained, equates with an increased lifetime income expectation, to say nothing of providing for increased collegiate attendance and a more qualified workforce for the State's businesses and industries.

In closing let me say, the Wells/Ogunquit Community School District has put in place many programs to improve student achievement; out of the fairness to our children we cannot regress on their future. Thank you for the opportunity to address these issues.

Leslie L. LaFond
Wells/Ogunquit Community School District
School Board Member

January 14, 2010

Senator Diamond, Representative Cain, members of the Appropriations Committee,
Senator Alford, Representative Sutherland, members of the Education Committee.

Thank you for giving me the opportunity to speak. My name is Sally Plourde and I am a 2nd grade teacher with 25 years experience in the Westbrook School Department. I am a Nationally Board Certified Teacher and was also a finalist for Maine Teacher of the Year.

This all sounds good on a resume, but it doesn't help you understand why I am here. I have great passion and sense of responsibility for my profession, my students, colleagues, and my own family of educators that is following in my footsteps; a daughter who teaches children with Autism, another an occupational therapist, and their spouses; a High School English teacher and a 3rd grade teacher. I hope to be a voice for all of them. I have heard diverse perspectives of the effects of the budget cuts that have already happened, the under-funded mandates of NCLB, and now the looming cloud of more drastic cuts. I have felt the effects personally. My perspective comes not from numbers on a page, but from the faces of those who will suffer the most, my students, and the students of all Maine educators.

Let me tell you what it feels like in the trenches. In my district we have a new superintendent who came from another state. He saw what was happening and decided to make radical changes to address the last budget cuts. The goal of his plan was to "cut spending from the top down, making cuts as far away from the students as possible. He cut \$500,000 by eliminating most administrators in the district. Admirable as it sounds, the reality is that the remaining administrators have had to take on more responsibilities and that DOES affect students. The trickle down of responsibilities hits teachers when they have to juggle the craft of teaching and addressing daily challenges, often without a principal in the building. We are already trying to more with less, yet the challenges in today's classrooms are greater than ever.

After 25 years of teaching I believe I am a credible witness to how things have changed. I love my students as much today as I did years ago, but things have changed. 25 years ago I did not have 7 and 8-year-old latchkey kids, I had never heard the terms autism, oppositional defiant disorder, or even English Language Learner. I did not have students taken away in the middle of the day by a protective agency, or have students living in cars

and shelters. I didn't have a student who at sharing time told the class that their dad went to jail because he beat up her mom and she tried to help but couldn't. I didn't have students who had to be restrained for throwing desks and physically attacking me. I did not have to grieve with a student who lost his dad in Iraq. These are my students, not fictitious scenarios. These are they types of challenges that educators face every day.

I am in a district that HAS cut from the top. What is left; Professional Development funds? Even after 25 years I need continual training and courses so that I can meet the needs of the ever-changing demands of my students. Maybe we could cut support staff? oops We only have one regular education ed. tech in our school of almost 400. So, how about our part time ELL teacher? That would be difficult for the student who began the year not speaking a word of English-only Spanish and no one on the staff speaks Spanish, or my 4 students who came from refugee camps in Ethiopia. So that leaves programs and materials and lay offs that would cause larger classes and less individual attention to every student.

Nationally the most common cuts are arts education, early childhood programs, and after school programs. Now picture my students that I just described. Those programs are not frills; they are essential for every student, but especially for the students that I described. If we don't engage them in education then they will be the future drop-outs and some will end up in jails at a cost of \$100,000 a year.

When each child walks through my door, I have to ignite in them a desire and passion to learn despite what is happening in their homes. To do this I need exciting books they can get lost in. I need science materials so we can do hands on experiments that will amaze and inspire them and help them become problem solvers and critical thinkers. I need technology so they can experience the big world that is waiting for them. They need a solid education to meet the challenges of the 21st century.

The cuts that have already happened forced us to make a choice of purchasing needed books OR materials.. That is no choice that I should have to make. The students deserve more. Already I have spent over \$500 out of pocket on materials. Subsidizing classrooms is something teachers routinely do, but we can't make up the difference.

I fully and respectfully understand there are many sides to every issue and each one has merit. You are in a difficult position wading through each issue before reaching your

decisions. It will take political courage to do what is right for the children of our state.

I urge you to think of one child that is important to you. Maybe it's your own child, grandchild, niece, nephew, or a neighbor's child. Picture their face and then ask yourself, "Will that child's education be better if more cuts are made, or will it be worse?"

For me the answer is simple. I have three grandchildren under the age of five and they deserve and need a better education than the previous generation. All our children do because their future is our future.

Please have courage and remember the sign you pass every time you enter our state "Maine the way life should be." Please keep those words in your heart as you make these difficult decisions.

Respectfully,

Sally Plourde NBCT

Sally Plourde NBCT
2 Crestwood Drive
Westbrook, ME 04092
207-797-9806



Maine School Superintendents Association

"Better Schools for Maine Students"

TESTIMONY IN OPPOSITION TO

LD #1671

"An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government, and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2010 and June 30, 2011"

Senator Diamond, Representative Cain, Senator Alfond, Representative Sutherland and members of the Appropriations and Education Committees: My name is Roger Shaw, and I am President-elect of the Maine School Superintendents Association.

Superintendents unanimously understand that the State is in dire financial straits and that cuts in education are inevitable. We know you understand that educating our children is a critical government responsibility, both local and State, but we cannot responsibly support this budget – mainly because it sets every school district in Maine up for failure in the future.

It condones a dramatic shift of the burden of educating our children from the State to local property taxpayers at a time when they are least able to afford it. Our citizens are being dealt a double-whammy in this budget. Not only is State school funding being drastically reduced, but also State revenue sharing to towns and cities. That shift will only widen the gap between the "haves" and "have nots," as more school budgets predictably fail because local property taxpayers cannot afford to pick up the state's share which is being radically underfunded by this proposed budget.

We all know the referendum that required the state to pick up 55 percent of costs, as defined by the Essential Programs and Services funding formula, has been vilified in some circles as one of the sources of the State's budget woes. The reality is that while State funding went up for the three years following that referendum, it hit a plateau in fiscal year 2008 and continues a precipitous slide backward in this budget. The State not only failed to meet the 55 percent, but will be below 45 percent in the next fiscal year.

As you are all aware, State cuts in 2010 and 2011 are being somewhat masked by Federal stimulus money. I say somewhat because aid to K-12 education in fiscal year 2011, even with Federal stimulus money, will be \$54 million below this year, and this year will end up being \$20 million below last year. Alarming as those cuts are, what's more alarming is the prediction that we shouldn't expect much more, if any, from the State in fiscal year 2012 when there will be no federal stimulus money to help fill the gap.

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We cannot accept that funding levels set in the middle of the worst recession since the Great Depression should serve as the standard going forward into the recovery.

At the very least, we would like this budget to recognize that General Purpose Aid for fiscal years 2010 and 2011 is woefully inadequate and steps must be taken now to make sure that increases in GPA are a priority in 2012. The Maine School Superintendents Association is asking you to make that commitment. A statement of legislative intent that recognizes the impact of these cuts and charts a course for restoring adequate sustainable levels of funding going forward would be a positive first step and set the groundwork for further discussion.

As a group, superintendents have a proven track record at meeting budget targets established by their respective School Boards. We have already made significant reductions, and will have to continue to cut to make it through this biennium.

We will continue to make structural changes that save money in the long-term, including sharing administration, taking advantage of purchasing pools, enhancing curriculums through the use of technology, providing more services to students through collaborative efforts and closing schools.

At the same time, however, demands on public schools are increasing. Not only is the federal government requiring that student performance and graduation rates improve – the people of Maine want that also. As commendable and worthy as these expectations are, they require sufficient resources.

This biennial budget needs to represent the lowest level at which the State supports pre-K–12 education, and going forward we are looking for your commitment to increase the State share, not continue to shift the burden onto the local property taxpayer.

Testimony of Robert S. Howe
on behalf of
Maine Association of Independent Schools
Regarding LD 1671, Part E, Dept. of Education
January 14, 2010

I am speaking today on behalf of the Maine Association of Independent Schools and, in particular, the 10 private schools which educate primarily public-tuition students and which are known as the town academies. These academies are what remains of the origins of Maine's public secondary education system, which originated in the 19th century when civic-minded citizens got together to form academies which, for the first time, offered a comprehensive education to all of a town's young people. They are private institutions which serve a public purpose.

MAIS is opposed to two provisions in LD 1671. The first provision is found at section E-7 and it cuts by 2% the maximum allowable tuition rate calculated under current law for the current school year. The second provision is found at section E-6 and changes the formula for calculating the maximum allowable tuition rate in future school years. I will address these provisions separately.

Section E-7 says that the tuition rate calculated for the current school year is cut by 2%, but only for private schools receiving public-tuition students, and not for public schools receiving tuition students from other districts. We believe this is the first time both types of receiving schools have not been capped at the same dollar amount per student.

Section E-7 does absolutely nothing to help balance the supplemental budget. It has no effect on state expenditures.

Section E-7 assumes that the normal interaction and negotiation which takes place between the town academies and the school units whose students they serve needs to be superseded by interference from the state. We are told that the purpose of this section is to ensure that public school units getting hit by a cut in their state's subsidy can pass some of that along to the town academies. But what about the public school units that send their students to other public schools? Why are they not getting the same consideration?

For the first time, a student who attends Erskine Academy will be subject to a lower tuition rate than the student who lives next door in the same town who attends Waterville High School.

There are a number of examples across the state where sending school units and town academies have negotiated a tuition rate different than the maximum allowed under law—some higher, some lower, and I believe such negotiations would be appropriate now, given the mid-year cut in the state school subsidy to public sending units. But such negotiations are being pre-empted by section E-7.

Let's suppose a town is prepared to continue paying the maximum allowable tuition rate, having budgeted for it, and is not interested in cutting the rate by 2% as required in this bill. It would appear that town now must go through the process of having a vote of its legislative body which may mean a special town meeting or a referendum, just to continue paying the tuition rate fixed in current law.

Finally, section E-7 fails to acknowledge that the current tuition rate law (30-A MRS 5806) is designed to pass along reductions in public school spending by limiting the increase or decreasing the

maximum allowable tuition rates, ~~lower than in the past~~. There is a delayed reaction of essentially two years. So pain felt by public units will be felt by the academies later, but by the same token, the benefits of increased public school spending are also delayed by two years with respect to the town academies. Section E-7 says, in effect, we're going to force you to accept today's pain both now AND in the future. That isn't fair.

Section E-6 would change the law used to calculate maximum allowable tuition rate for all future school years, for both private and public receiving schools. The first point to make is that, like section E-7, it also does nothing to help you balance the state budget.

The purpose of the tuition-rate law is to ensure that receiving schools, whether private or public, cannot charge whatever the market will bear in tuition rates. Those receiving schools cannot hold a town without its own high school hostage in a monopoly situation. It is a good law which serves a useful public purpose. We see not benefit in changing it. Furthermore, we cannot tell from section E-6 how it would change.

The reason for that is that it substitutes for the fixed cap on tuition rates increases of 6% with an undefined consumer index or other index. There are dozens of different CPIs published by the federal Bureau of Labor Statistics. Section E-6 would allow the Department of Education to pick whatever index it chose from year to year, leaving receiving schools guessing what the target will be each year.

Section E-6 also attempts to set policy that the next administration will have to carry out. Since it has not effect on the state budget, we believe it should come out of this bill, and be left to a discussion later.

We look forward to discussions with the Committee on Education & Cultural Services on the provisions of the bill. Thank you.



Portland Public Schools

Appropriations Co-Chairs Senator Diamond and
Representative Cain

Honored members of the Appropriations Committee
Educational and Cultural Affairs Co-Chairs Senator Alford
And Representative Sutherland

Honored members of the Education & Cultural Affairs Committee

January 14, 2010

Thank you for this opportunity to speak before you.

My name is Dr. James C. Morse, Sr. and I am the Superintendent
of Schools for the City of Portland.

You face the toughest decisions of your legislative careers,
concurrently; those of us in charge of schools are also facing the
toughest decisions of our educational careers. I have been a
Superintendent for nearly two decades and I have worked my way
through past recessions and nearly impossible situations and odds
such as the closing of Loring Air Force Base and the creation of
the Maine School of Science and Mathematics. Never have I seen
anything like what the state is experiencing in the current
economy. The decisions you make have impact state-wide just as
the decisions we make locally have citywide implications.



Portland Public Schools

There are four components to successfully making it through this recession: create efficiencies, cut costs, eliminate/reduce mandates, and look for alternative funding sources.

Portland serves nearly 7,000 students, has an economically disadvantaged population of nearly 50%, a special education rate of 15%, and an immigrant population of over 26%. Children from many lands attend Portland Schools where over 60 distinct languages are spoken. Our diverse population is 10% Asian, 20% Black, 4% Hispanic, 1% Native American and 65% Caucasian.

As Maine's largest service center, Portland serves the needs of a far greater population than its 64,000 residents, serving a southern Maine population of nearly 250,000. Portland is unique among Maine school systems due to this diversity and the size of the service center population.

The taxpayers of Portland contribute the lion's share of the school budget, \$74,000,000, out of a total \$91,000,000 school budget, leaving \$17,000,000 paid for by a combination of state and ARRA funds.



Portland Public Schools

Portland faced head-on the recent curtailment loss of \$2.7 million dollars this year, the largest loss of revenue of any school system in the state, over double what the next school system lost. In anticipation of the curtailment, the Portland School Committee passed a resolution in October directing me to outline how the school system would account for the loss of revenue. We were able to offset the loss of these funds through one-time cost savings using federal funds, through significant cuts in services other than classroom instruction and through increased revenue projections. The School Committee adopted the plan in December.

For the 2010-11 school year, Portland will be facing a staggering loss of state subsidy. We are estimating that the Portland School System will lose upwards of \$7,000,000 in EPS in the upcoming 2010-11 school budget. We also project over \$1,000,000 loss in federal funds. Both figures are estimates as we've seen no print out from the state or federal government, but are informed by conversations with state officials.

In Portland, we have created a multi-year budget process and document to make informed decisions, create better projections, and prioritize our needs. We will no longer rely on a single year



Portland Public Schools

strategy to build budgets as it is too limiting and subjects the system to the uncertainty of funding in any given year.

We have aligned ourselves with our neighbors for we believe that no system is so big that it cannot benefit by working with partners. The Tri-City Alliance is made up of the City of Portland, the City of Westbrook and the City of South Portland. Others are asking whether they can work with us as well.

We will have a detailed special education review completed by the end of January. Portland's special education costs are some of the highest in the state. The outside analysis will provide us with specific recommendations to curtail those costs.

We have completed a comprehensive staff analysis of our high schools with the intent of reducing duplication of programming. We are also aligning our high school master schedules in order to make sure such programming can occur.

In addition, we will have no choice, facing the size of our revenue loss, but to cut staff, programs and services as we consider our options for the 2010-2011 budget. Portland is taking on the tough issues as



Portland Public Schools

you do here in the Legislature. The Portland School System is assuming responsibility for those issues within our control. We are responsible to find efficiencies, to make difficult staffing cuts, and to prioritize our needs. We recognize that there is nowhere to turn except to ourselves, just as we did in this curtailment this year.

However, we are not in control of our destiny as it relates to state law, regulations and revenue.

During the curtailment of this year we asked the executive branch to look at factors unique to Portland. Two specific requests we made were to the MDOE.

1. We asked Commissioner Gendron to consider a stop/loss provision limiting the size of the loss of any one system, just as has been done during tough budgetary times in the past, but it has been rejected as an option.
2. We asked that the count for children receiving English as a Second Language (ESL) or the English Language Learner (ELL) population be updated annually, rather than be averaged. Portland is experiencing an unprecedented number of new immigrants into



Portland Public Schools

the system with no funding support. I have no sense that this will occur.

The final area where we have no control, but you do, is revenue generation. Education is an investment that cannot be curtailed. A free, democratic society requires access by all to a free and appropriate education. I would argue that the society we have is based upon our commitment that every child deserves no less than the best we have to offer. This recession has hurt Maine's ability to maintain that societal obligation.

I am hopeful that you consider the three requests I've outlined below regarding revenue generation.

1. The Legislature consider allowing for a temporary sales tax increase, with a sunset provision, be considered during these tough economic times. It was done during the last recession and helped us through difficult times. I am told that a one-cent increase on the sales tax would generate over \$125,000,000 dollars.
2. The Legislature consider allowing for local generation of tax revenue, that cities like Portland be allowed to tax hotels and



Portland Public Schools

restaurants in their communities, if approved by the local community. Major cities across America have such taxing authority; our service centers should have the same option.

3. The Legislature consider broadening the sales tax further. My understanding is that there is over \$2.5 billion dollars worth of untaxed goods and services in Maine. The voters repealed the 'snack tax', but that happened in a time of a far different economic climate than we face today.

The Portland School System will continue to take charge of those items within our control, which largely deals with expenditures, we will continue to make the hard choices that are a result of this unprecedented recession, the depth and breath of which we have never seen before.

The path forward is difficult for elected and appointed leaders; no one will welcome the loss of jobs and/or programs. The Legislature cannot tax its way through this recession, but in combination with draconian cuts, the Legislature can build a path to the future by crafting additional temporary revenues to help us through these impossible times.

Thank you for your time and consideration.

PORTLAND EDUCATION ASSOCIATION

Appropriations Co-Chairs Senator Diamond and
Representative Kane

Honored Members of the Appropriations Committee
Educational and Cultural Affairs Co-Chairs Senator
Alfond and Representative Sutherland

Honored Members of the Education and Cultural Affairs
Committee

January 14, 2010

I appreciate this opportunity to speak before you. I am Kathleen Casasa and I am President of the Portland Education Association and a teacher in the Portland School District.

The decisions of our elected leaders and policy makers will have a profound influence on public education in our state. During these tough economic times it is even more important to preserve the basic rights upon which our country was founded. One of these is the right to a free and public education. I would ask you to think about what it means to have a free and public education.

This principal is our commitment to all our citizens. It is our obligation to the next generation. It is our best promise for the future.

Portland is once again home to many immigrant families. Many of their children enter Portland schools speaking no English, some do not even have literacy skills in their own languages. Our teachers need increased skills, training and materials and programs to meet the needs

of these students.

Portland is a service center. Many families come to Portland for the wide range of services offered like access to medical care and mental health services. Our special education population presents a challenging range of disabilities. We offer programming for severe multihandicapped children, children with behavioral issues, autism, learning disabilities and many others identified with special needs. These students present challenging obstacles in a learning environment.

Portland is also an urban center with all the advantages and problems of city life. About 50% of our students come from poverty. The negative impact of poverty on education is well documented.

Portland also competes with many private schools to attract and program for the best and the brightest youths. Poor capital improvement, narrow range of programs and teacher layoffs will only increase the flight from the public to private education. Families of means will choose private over public. This is a threat to the very promise of American democracy.

So what does a typical classroom in Portland look like. There are 25 students: 12.5 are middle and upper income students, 12.5 are poor, 6.5 are immigrants, 3 are special needs.

Reiche Elementary and King Middle schools, inner city schools, both have been on the failing school list. Both have suffered from lack of building repairs, equipment replacement and cuts to classroom materials and textbooks and other resources, both are greatly successful and making progress currently. Our schools

have suffered from the many years of cuts to education. We have downsized, cut, trimmed, reallocated postponed and sought other revenues to accommodate less aid. There is little left in Portland's local budget. This year's curtailment and projected loss of state aid for 2010-11 will most certainly result on massive layoffs. This will threaten the successful performance of schools like Reiche and King.

You must consider all the children of our state, even the ones whose names are difficult to pronounce or the ones who cannot say their own name. Portland and the success of Portland's schools and students is important to the state of Maine and directly linked to Maine's success. Education is an economic engine for the state. The economic contribution of educational programs and employment to the state should be considered. Massive layoffs will put more people out of work, hamper any economic recovery and further impede the possibility of a well educated and trained work force for the future.

The educators in Portland are looking to you, our elected leaders, to make bold, brave decisions. Protect the opportunities of a free and public education.

Thank you.

Kathleen Casasa

President, Portland Education Association

PUBLIC HEARING TESTIMONY

LD 1671

January 14, 2010

Senator Diamond, Representative Cain, members of the Appropriations Committee. I am Les LaFond, a member of the Wells/Ogunquit Community School District school committee. I will keep my remarks brief today as I understand the Committee's many time constraints.

As a school committee, we certainly understand the need to respond to the current economic scene and the decrease in projected revenues. However, when the Appropriations Committee is considering the significant budgets reductions proposed for K-12 education in the Governor's proposed supplemental budget, we would hope that the reductions would be more equitably spread among all departments.

There is no need to dwell on the fact that the proposed reductions will leave school districts with two alternatives – increase the local tax burden or cut programs and services to our children. Needless to say, neither is palatable. The proposed drop in aid, which puts the state share of education at 43% of costs, is shifting the burden of educating children onto the shoulders of the local property taxpayer at a time when they can least afford it. Compounding the issue, is the fact that the state has also cut local revenue sharing, resulting in less state aid going to municipalities.

Prior and current administrations have underscored the need to increase the educational quality and raise the level of graduation rates in the State. People have finally come to the realization that educational levels attained, equates with an increased lifetime income expectation, to say nothing of providing for increased collegiate attendance and a more qualified workforce for the State's businesses and industries.

In closing let me say, the Wells/Ogunquit Community School District has put in place many programs to improve student achievement; out of the fairness to our children we cannot regress on their future. Thank you for the opportunity to address these issues.

Leslie L. LaFond
Wells/Ogunquit Community School District
School Board Member



Maine School Superintendents Association

"Better Schools for Maine Students"

TESTIMONY IN OPPOSITION TO

LD #1671

"An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government, and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2010 and June 30, 2011"

Senator Diamond, Representative Cain, Senator Alford, Representative Sutherland and members of the Appropriations and Education Committees: My name is Roger Shaw, and I am President-elect of the Maine School Superintendents Association.

Superintendents unanimously understand that the State is in dire financial straits and that cuts in education are inevitable. We know you understand that educating our children is a critical government responsibility, both local and State, but we cannot responsibly support this budget – mainly because it sets every school district in Maine up for failure in the future.

It condones a dramatic shift of the burden of educating our children from the State to local property taxpayers at a time when they are least able to afford it. Our citizens are being dealt a double-whammy in this budget. Not only is State school funding being drastically reduced, but also State revenue sharing to towns and cities. That shift will only widen the gap between the "haves" and "have nots," as more school budgets predictably fail because local property taxpayers cannot afford to pick up the state's share which is being radically underfunded by this proposed budget.

We all know the referendum that required the state to pick up 55 percent of costs, as defined by the Essential Programs and Services funding formula, has been vilified in some circles as one of the sources of the State's budget woes. The reality is that while State funding went up for the three years following that referendum, it hit a plateau in fiscal year 2008 and continues a precipitous slide backward in this budget. The State not only failed to meet the 55 percent, but will be below 45 percent in the next fiscal year.

As you are all aware, State cuts in 2010 and 2011 are being somewhat masked by Federal stimulus money. I say somewhat because aid to K-12 education in fiscal year 2011, even with Federal stimulus money, will be \$54 million below this year, and this year will end up being \$20 million below last year. Alarming as those cuts are, what's more alarming is the prediction that we shouldn't expect much more, if any, from the State in fiscal year 2012 when there will be no federal stimulus money to help fill the gap.

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We cannot accept that funding levels set in the middle of the worst recession since the Great Depression should serve as the standard going forward into the recovery.

At the very least, we would like this budget to recognize that General Purpose Aid for fiscal years 2010 and 2011 is woefully inadequate and steps must be taken now to make sure that increases in GPA are a priority in 2012. The Maine School Superintendents Association is asking you to make that commitment. A statement of legislative intent that recognizes the impact of these cuts and charts a course for restoring adequate sustainable levels of funding going forward would be a positive first step and set the groundwork for further discussion.

As a group, superintendents have a proven track record at meeting budget targets established by their respective School Boards. We have already made significant reductions, and will have to continue to cut to make it through this biennium.

We will continue to make structural changes that save money in the long-term, including sharing administration, taking advantage of purchasing pools, enhancing curriculums through the use of technology, providing more services to students through collaborative efforts and closing schools.

At the same time, however, demands on public schools are increasing. Not only is the federal government requiring that student performance and graduation rates improve – the people of Maine want that also. As commendable and worthy as these expectations are, they require sufficient resources.

This biennial budget needs to represent the lowest level at which the State supports pre-K–12 education, and going forward we are looking for your commitment to increase the State share, not continue to shift the burden onto the local property taxpayer.

Testimony of Robert S. Howe
on behalf of
Maine Association of Independent Schools
Regarding LD 1671, Part E, Dept. of Education
January 14, 2010

I am speaking today on behalf of the Maine Association of Independent Schools and, in particular, the 10 private schools which educate primarily public-tuition students and which are known as the town academies. These academies are what remains of the origins of Maine's public secondary education system, which originated in the 19th century when civic-minded citizens got together to form academies which, for the first time, offered a comprehensive education to all of a town's young people. They are private institutions which serve a public purpose.

MAIS is opposed to two provisions in LD 1671. The first provision is found at section E-7 and it cuts by 2% the maximum allowable tuition rate calculated under current law for the current school year. The second provision is found at section E-6 and changes the formula for calculating the maximum allowable tuition rate in future school years. I will address these provisions separately.

Section E-7 says that the tuition rate calculated for the current school year is cut by 2%, but only for private schools receiving public-tuition students, and not for public schools receiving tuition students from other districts. We believe this is the first time both types of receiving schools have not been capped at the same dollar amount per student.

Section E-7 does absolutely nothing to help balance the supplemental budget. It has no effect on state expenditures.

Section E-7 assumes that the normal interaction and negotiation which takes place between the town academies and the school units whose students they serve needs to be superseded by interference from the state. We are told that the purpose of this section is to ensure that public school units getting hit by a cut in their state's subsidy can pass some of that along to the town academies. But what about the public school units that send their students to other public schools? Why are they not getting the same consideration?

For the first time, a student who attends Erskine Academy will be subject to a lower tuition rate than the student who lives next door in the same town who attends Waterville High School.

There are a number of examples across the state where sending school units and town academies have negotiated a tuition rate different than the maximum allowed under law—some higher, some lower, and I believe such negotiations would be appropriate now, given the mid-year cut in the state school subsidy to public sending units. But such negotiations are being pre-empted by section E-7.

Let's suppose a town is prepared to continue paying the maximum allowable tuition rate, having budgeted for it, and is not interested in cutting the rate by 2% as required in this bill. It would appear that town now must go through the process of having a vote of its legislative body which may mean a special town meeting or a referendum, just to continue paying the tuition rate fixed in current law.

Finally, section E-7 fails to acknowledge that the current tuition rate law (30-A MRS 5806) is designed to pass along reductions in public school spending by limiting the increase or decreasing the

maximum allowable tuition rates, lower than in the past. There is a delayed reaction of essentially two years. So pain felt by public units will be felt by the academies later, but by the same token, the benefits of increased public school spending are also delayed by two years with respect to the town academies. Section E-7 says, in effect, we're going to force you to accept today's pain both now AND in the future. That isn't fair.

Section E-6 would change the law used to calculate maximum allowable tuition rate for all future school years, for both private and public receiving schools. The first point to make is that, like section E-7, it also does nothing to help you balance the state budget.

The purpose of the tuition-rate law is to ensure that receiving schools, whether private or public, cannot charge whatever the market will bear in tuition rates. Those receiving schools cannot hold a town without its own high school hostage in a monopoly situation. It is a good law which serves a useful public purpose. We see not benefit in changing it. Furthermore, we cannot tell from section E-6 how it would change.

The reason for that is that it substitutes for the fixed cap on tuition rates increases of 6% with an undefined consumer index or other index. There are dozens of different CPIs published by the federal Bureau of Labor Statistics. Section E-6 would allow the Department of Education to pick whatever index it chose from year to year, leaving receiving schools guessing what the target will be each year.

Section E-6 also attempts to set policy that the next administration will have to carry out. Since it has not effect on the state budget, we believe it should come out of this bill, and be left to a discussion later.

We look forward to discussions with the Committee on Education & Cultural Services on the provisions of the bill. Thank you.

Members of the appropriation committee.

My name is Leo Todd. I am in my 26th year as an elementary music teacher in RSU57. I want you to know something about the ramifications of what these these curtailments will do to Waterboro elementary school. Six teachers in our RSU have been given pink slips. They will be leaving in March. What is going to happen to the children in these classrooms.

Here is a quote from the Department of Education: "When it comes to education, Maine is, indeed, on the move. As Education Week's "Quality Counts" assessment of America's schools indicated, Maine could rest on its laurels. After all, the achievement of our students in mathematics, science, and reading puts Maine at the top of the nation. But our state has chosen to set high expectations for its public school system. Indeed, we are committed to continuous improvement."

If you believe in what is said on the Department of Education web site, you must find some other way to resolve the crisis that we are in. Why is it that education always takes the hit when Maine is in a crisis. In RSU57 the teachers are always the scapegoats for budget shortfalls.

If the students of the teachers being laid off are spread around to the other classes there will be over thirty children in each class. In a recent article in the Portland Press Herald Commissioner Gendron said, and I quote, "Maine has the lowest per pupil ratio in the nation, with one teacher for every nine students." In 26 years I have never seen nine students in a class and right now our kindergarten classes have an average of eighteen students per teacher, and 20 or more in first and second grade.

There is research about class size and the performance of students on standardized tests. Here is one study in Tennessee.

Tennessee's Project STAR (Student-Teacher Achievement Ratio) and two associated data collections have made important contributions to the quality of research evidence concerning the reduction of class size. STAR was a 4-year longitudinal study of kindergarten, first-, second-, and third-grade classrooms in Tennessee which began in 1985. STAR compared classes of 13-17 students with classes of 22-26 students both with and without an additional instructional aide in the larger classes. Participating teachers did not receive any professional training focusing on teaching in reduced size classes. STAR was unusual because it possessed essential features of a controlled research experiment designed to produce reliable evidence about the effects of reducing class size:

In Project Challenge, Tennessee sought to put the Project STAR findings to use by implementing smaller class sizes in 16 of the state's poorest school districts. Beginning in 1990, the state phased in smaller classes at the kindergarten through third-grade levels in districts with the lowest per capita income and highest proportion of students in the subsidized school lunch program. The results of this effort were evaluated by examining the effect on the ranking of the school districts according to student performance on a

statewide achievement test. The Project Challenge districts moved from near the bottom of school district performance in Tennessee to near the middle in both reading and mathematics for second grade.

The Tennessee studies have been viewed as landmark research. This research leaves no doubt that small classes have an advantage over larger classes in school performance in the early primary grades."

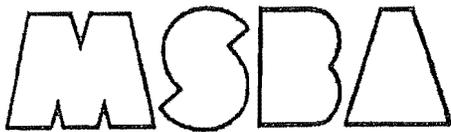
With these budget shortfalls what will you do next year and the year after? I see music and art being cut. Then where??

Education is the soul of a nation and music and art are the heart. Without a heart we are dead.

Thank you

Leo M. Todd

Limerick, Maine



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TESTIMONY IN OPPOSITION TO

LD.#1671

“An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government, and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2010 and June 30, 2011”

Senator Diamond, Representative Cain, Senator Alford, Representative Sutherland and members of the Appropriations and Education Committees: My name is Ashley O'Brien and I am president of the Maine School Boards Association and chairman of the SAD 36 school board serving Livermore and Livermore Falls.

School boards in Maine are well aware of the difficult job you have before you. We are faced with a similar job at the local level -- trying to balance the needs of our students with our taxpayers' ability to pay.

We understand why this budget has recommended cuts in General Purpose Aid for education since after all it is one of the few large pots of money available to you. The Maine School Boards Association cannot support this budget, however, because of the impact it will have and the message it sends.

We also know how difficult it will be to change the proposed cuts in these terrible economic times, but are truly alarmed about the harm they could do to the K-12 system, particularly in the next school year.

School Boards and superintendents already have rolled up their sleeves and done a lot of the hard work to find savings in this fiscal year and are trying to prepare the public and school community for what's head in 2011, when we literally fall off the funding cliff.

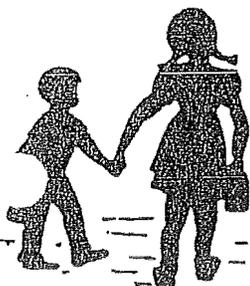
What we hope to be able to influence is the discussion about future state funding levels.

We need to start talking now about what is a minimum, acceptable and sustainable level of state support, and what we can do to help schools save money but continue to improve classroom learning.

Member of THE MAINE EDUCATION LEADERSHIP CONSORTIUM

49 COMMUNITY DRIVE • AUGUSTA, MAINE 04330

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Our association has a few ideas for your consideration.

First of all, we need your support on the controversial yet necessary changes to special education law to bring the state in line with federal regulation. You already have acknowledged that special education costs are growing faster than the rest of the K-12 budget and need to be reined in. The proposal Commissioner Gendron has put forward is the right approach. It will not be easy to get it through the Legislature, and we need your leadership to make that happen.

The Association also supports the idea of looking at the creation of a shared health insurance plan for all public employees – including teachers, state workers and other employees who have all or part of their health insurance paid for with public dollars.

We believe the sheer size of such a group would provide leverage when negotiating health care premiums, and could be designed with affordable options on coverage and cost-sharing between public employers and employees.

Our idea is to bring together all the public payers and employee unions on a special blue ribbon commission to work out the details and present the Legislature a plan in 2011.

This too won't be easy, but it could have far-reaching effects on cost savings to schools and the state.

We also want to start talking now about where state aid should be in 2012. The notion that it could drop to below 42 percent state share, which puts an enormous burden on local property taxpayers, is unacceptable.

We have to find a way to make sure the burden for educating our children is equitably shared between the state and local taxpayers. We also can't abandon our goal that all children, no matter where they live, have access to an educational program that prepares them for a successful future.

This work won't be easy. The Maine School Boards Association is here to help and offer the perspective of local school board members as you move forward with your deliberations.

Testimony of Leon Levesque, Superintendent of Schools of the
City of Lewiston on L.D. 1671 Part E, Section E-21 School Budget Articles for
Minor Capital Debt Service

Senator Diamond, Senator Alford, Representative Cain, Representative Sutherland,
Members of the Joint Standing Committee on Appropriations and Financial Affairs, and
Members of the Joint Standing Committee of Education and Cultural Affairs.

My name is Leon Levesque and I am the Superintendent of Schools in Lewiston, Maine.
I would like to speak to you about LD 1671, Part E Section E-21 which concerns the school
budget articles for minor capital debt service. Minor capital debt service include funds raised by
school units to repay loans for maintenance of plant, minor remodeling, site development, or
purchase of land not in conjunction with a school construction project. A typical minor capital
project would involve a roof repair or replacement, a new boiler, a window replacement project,
or other similar projects to repair or improve school facilities.

Section E-21 of LD 1671 would amend 20-A M.R.S.A. §15690, sub-§2 by removing
minor capital debt service from the school budget article for debt service and require instead that
local debt service for minor capital purposes be raised under the budget articles for EPS
expenditures and additional local funds. I believe there are several problems with this approach.

First, it would be a mistake not to include all of the locally funded debt service that has
been previously approved by the voters or City Council in a single debt service article, which
everyone understands must be approved;

Second, we are entering a very difficult school budget season, and it would be unfair to
local school units to artificially inflate the amount that they must report as "additional local
funds" in excess of their "Essential Programs and Services" target;

Third, it will confuse the voters to combine funds raised for both discretionary expenditures and mandatory expenditures in a single budget article;

Fourth, it would be unwise to require that mandatory local debt service payments be subject to the extra governance requirements of LD 1; and

Fifth, there is a much simpler and more direct way to address the problem that Part E, Section E-21 is attempting to solve.

I will speak to each of these points in the balance of my testimony.

First, I believe that all local debt service that has been previously approved, and that a school unit is legally obligated to pay, should be included in a single debt service article. School budgets are complicated enough without having some local debt service included in a stand-alone local debt service article while other local debt service is folded into the more general EPS and additional local funds articles. Since a school unit is required by law to pay all of its local debt service – both for state approved projects and minor capital outlay - the voters should be presented with one single debt service article that they understand they have to approve.

Second, we are entering a very difficult budget year with very significant cutbacks in anticipated State subsidy. The last thing the State should do in such a difficult budget year is to artificially inflate the amount of additional local funds that school units must ask the voters to approve above their EPS targets. For the last two budget years, debt service costs for minor capital projects have not been included in calculating the amounts by which a school unit exceeds EPS. In some cases, as in the case of Lewiston, these local debt service costs for minor capital projects involve hundreds of thousands of dollars. If the state requires that these costs be shifted over to the additional local funds article, it will appear to the voters that school units are greatly increasing the amounts of their local expenditures above EPS, when that is not actually

the case, and all that is occurring is a change in the State's mandated budget format. This is not the year for the State to increase the amounts by which local school units appear to be exceeding their EPS targets.

Third, it would be unwise to combine funds for mandatory debt service expenditures and discretionary school expenditures in a single budget article. In explaining a school budget to a school board, city council or a meeting of the voters, it is very important to keep separate those funds which a school unit is legally required to raise and those funds which may be viewed as discretionary. Once a school unit has voted to borrow for locally funded capital projects, either for school construction or minor capital purposes, the debt for those projects must be paid back. As a legal matter, the school unit is obligated to repay the annual debt service on those borrowings. For that reason alone, local debt service should all be included in a single debt service article and should not be mixed up with funds for other discretionary educational programs.

Fourth, it is poor public policy to subject mandatory payments for local debt service to the extra-governance requirements of LD 1. Under LD 1, additional local funds above a school unit's EPS target must first be approved by a majority of the full membership of the school board and/or city council; second, the amount above EPS must be included in a separate budget article; and third, if the budget is approved a meeting of the voters, the additional local funds article must be approved by written ballot. One purpose of these "extra-governance" requirements is to make it more difficult for elected officials and the voters to raise funds to pay for educational costs that exceed EPS.

In the case of borrowings for minor capital purposes, however, the Constitution and statutes of Maine already provide for their own separate extra-governance requirements. All

such borrowings are subject to statutory debt limits, and in most cases, the borrowings must be approved by the voters at referendum. Once a borrowing has been approved in accordance with these extra-governance requirements, the school unit is legally obligated to repay the debt and the school unit's public officials voters are legally obligated to raise funds for that purpose. In these circumstances, it does not make sense to apply the extra-governance requirements of LD 1 to raising the funds necessary to repay the minor capital loan.

Finally, there is a simpler way to solve the problem that Part E, Section E-21 is intended to address. In FY 2009-10 the City of Lewiston ran into a problem because the Department of Education took the position that funds raised by the City for locally funded minor capital debt service could not be considered in determining whether or not the City had raised enough funds to qualify for the full amount of approved State subsidy. When the funds raised for local minor capital debt service were excluded from the calculation, the City of Lewiston had not raised enough local funds to satisfy its required local contribution. Until we reconfigured our budget and had it reapproved by the Council and the voters, the City of Lewiston stood to lose a significant portion of its state school subsidy.

While this is a problem that Part E, Section E-21 is intended to address, there is a simpler and more direct solution. The problem can be solved simply by amending the section of the statute which provides for reductions in State subsidy to make it clear that funds raised for local minor capital debt service shall be counted by the Department of Education for purposes of determining whether or not a local school unit has raised its required local contribution. For the convenience of the Committee, I have attached to my written testimony a proposed substitute for Section E-21 which would amend 20-A M.R.S.A. §15690, subsection 1, paragraph c, to

accomplish this result. I believe that this proposed language will achieve the purpose of Section E-21 without creating any of the problems which I have discussed.

Thank you for this opportunity to appear before you today and to present this suggested amendment to Section E-21 to LD 1671.

PROPOSED AMENDMENT TO LD 1671, PART E, SECTION E-21

School Budget Articles for Minor Capital Debt Service
Submitted by Leon Levesque, Superintendent of Schools of City of Lewiston

Amend Section E-21 of LD 1671, Part E to read as follows:

Sec. E-21 20-A, M.R.S.A. §15690, sub-§ 1, paragraph c, first sentence is amended to read as follows:

c. The state share of the total cost of funding education from kindergarten to grade 12 as described in section 15688, excluding state funded debt service for each school administrative unit, is limited to the same amount as the local school administrative unit raises of its required contribution to the total cost of education as described in section 15688, excluding state-funded debt service costs, including as part of its required local contribution to the total cost of education for purposes of this paragraph, any amounts raised by the school administrative unit for non-state funded debt service for minor capital projects.



Maine Regional School Unit 21
The Schools of Arundel, Kennebunk, and Kennebunkport

"Preparing responsible, contributing citizens in a global society."

Andrew R. Dolloff, Superintendent of Schools
James W. Barnes, Business Administrator

Dr. Patrick M. Manuel, Assistant Superintendent
Susan M. Mulsow, Director of Special Services

To: Maine Legislature:
Joint Standing Committee on Appropriations and Financial Affairs
Joint Standing Committee on Education and Cultural Affairs
From: Andrew Dolloff, Superintendent of Schools – RSU 21
RE: Disbursement of Funds
Date: February 5, 2010

I was dismayed to hear of the Education and Cultural Affairs Committee's vote to redistribute the revenue received from non-conforming school districts in a manner different from that proposed in the Department of Education's recently released figures for General Purpose Aid to schools. As the superintendent of schools in a district which recently consolidated, I can assure you that some recognition of the difficult work that our previous districts performed in forging this merger would certainly help to alleviate some of the frustration that exists in our communities.

I have not written to you asking that reductions in General Purpose Aid be minimized, or that you look elsewhere to make reductions that would address the loss of revenue with which you are faced as legislators. As a public manager, I am fully aware of the dilemmas you face. There are no easy decisions, and any cuts you make will be met by special interest groups who feel the cuts are unfair and should be made elsewhere. However, on this particular issue, you do have the authority to make a decision which honors the original intent of the consolidation law by penalizing those districts that have not complied and rewarding those that have. In RSU 21, we are facing a reduction in state aid of \$1.8M for Fiscal Year 2011. By making this decision, you would push that reduction to \$2.05M – in a district that has been a model of compliance throughout the consolidation process. The public, that I must report to, is frustrated, but understanding, of the reduction in GPA due to a reduction in revenue in Augusta. They will be far less understanding of this decision, which seems intended to minimize the impact for districts that have not complied with state law.

I ask that the Education Committee reconsider this ill-advised decision, or that the Appropriations Committee overturn it, and follow the intent of the law as it was originally adopted. For those of us who abided by that law, and have experienced no short-term benefits in doing so, it seems that having the legislature also follow that law is not too much to expect.

Sincerely,

Andrew R. Dolloff
Superintendent of Schools





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RepPaul.Gilbert@legislature.maine.gov

February 17, 2010

To the Joint Standing Committee on Appropriation and Financial Affairs:

I am writing in support of exemption of penalties for towns that voted to form a Regional School Unit. There is no pending bill in the legislature to exempt towns that find themselves in similar positions. But, I understand this issue has been brought to your attention by the Education and Cultural Affairs Committee. I ask you to remedy this situation as you prepare the supplemental budget for the full Legislature to consider.

Starks, one of the five towns that I represent, voted to enter into a consolidation agreement and become part of a RSU. It was to be formed by consolidating MSAD 53 and MSAD 59.

MSAD 53 is made up of 3 towns, Burnham, Detroit and Pittsfield. MSAD 59 is made up of 3 towns, Athens, Madison and Starks, and the unorganized territory of Brighton Plantation. Voters in these 2 school districts understood the opportunity to be gained with a positive vote to form an RSU. They also understood the penalty for not doing so.

Athens, Brighton Plantation, Burnham, Detroit, Pittsfield and Starks voted to enter into an RSU agreement. Only one town voted not to consolidate into an RSU. However, they all face penalties due to the negative vote in one town.

I ask you to consider an exemption of penalties faced by residents of the towns who voted to consolidate in these 2 school districts. They did the right thing and voted to comply with the bill as developed in the 123rd Legislature and eventually signed into law by Governor Baldacci.

Residents of these towns had no influence in the final outcome of the vote other than in their own communities. Yet they face severe penalties for what happened elsewhere. They did the right thing. They should be exempted from penalties for the negative results experienced in another town. Thank you for your consideration.

In service to the people of HD 87 and the people of Maine I remain,

A handwritten signature in cursive script that reads "Paul Gilbert".

Paul Gilbert

District 87 Chesterville, Jay, Mercer, New Sharon and Starks

Printed on recycled paper

2010-11 General Purpose for Local Schools (Fund 100) and ARRA State Fiscal Stabilization Funds (Fund 020) - PRELIMINARY					Comparison to Prior Year									
Amounts do not include "unbonded" debt for approved school construction projects.					Amounts do not include Miscellaneous Adjustments									
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	
	Conforming Unit Mill Expectation at				7.09	Enacted				2009-10	Percent			
	NON-Conforming Unit Mill Expectation at				7.15	2009-10				Gain or	Change			
	Min. Subsidy at				3%	Enacted				Loss)	Amount			
	Min. Spec. Ed. at				30%	2009-10				of Total	Change			
	Includes Federal ARRA Stabilization Funds (020)				2010-11	Enacted				State & Local	Percentage Change			
	Adjusted				Adjusted	2009-10				Approved	for State Valuations			
	Local Share				Local Share	2010-11				Spending	and Cal. Yr. Avg. Pupils			
	Including ARRA				Including ARRA	Federal ARRA				Spending	to			
UNIT	Allocation at	Allocation at	(Includes Adjustments under 20-A MRSA 15588)		sub-sections 1, 1-A, 1-B and 2 and Penalties Section 15598)	Gain or	(Includes Local Required,		Approved	VALS				
Code	100%	97%	(ED 279 Line 50)		(ED 279 Line 50)	(Loss)	Add'l Local & State Subsidy)		Spending	PER				
			(ED 279 Line 50)		(ED 279 Line 50)		as of 1/26/2010			VALS	K-12	VALS	to	
										AVG.	AVG.	PUPIL	2010-11	
Municipal School Units														
002	Action	\$4,027,181.69	\$3,939,347.68	\$3,851,642.57	6.02	\$87,705.11	\$372,859.52	(\$295,154.41)	\$5,090,808.52	(5.6%)	0%	-2%	3%	(\$29,163.74)
005	Alexander	\$606,561.89	\$592,389.66	\$381,231.05	7.44	\$211,158.81	\$330,511.74	(\$119,352.93)	\$639,754.82	(18.7%)	16%	-14%	35%	\$0.00
014	Appleton	\$1,155,111.43	\$1,128,984.90	\$604,234.20	7.49	\$524,750.70	\$694,293.73	(\$169,543.03)	\$1,568,149.41	(10.8%)	3%	-4%	8%	\$0.00
020	Auburn	\$32,931,475.15	\$32,182,078.47	\$14,049,544.00	7.09	\$18,132,534.47	\$17,752,465.79	\$380,068.68	\$31,058,896.79	1.2%	-5%	0%	-5%	(\$39,370.20)
021	Augusta	\$24,255,884.33	\$23,754,898.05	\$10,990,209.00	7.09	\$12,764,689.05	\$14,218,138.31	(\$1,453,449.26)	\$23,888,836.31	(6.1%)	5%	-2%	7%	(\$50,571.24)
024	Baileysville	\$2,348,053.28	\$2,288,841.62	\$1,985,908.04	7.42	\$302,933.58	\$678,745.23	(\$375,811.65)	\$2,670,913.23	(14.1%)	1%	-3%	5%	\$0.00
026	Bancroft	\$102,010.00	\$100,010.93	\$45,817.61	7.51	\$54,193.32	\$62,866.21	(\$8,672.89)	\$117,283.05	(7.4%)	4%	0%	4%	\$0.00
027	Bangor	\$35,504,633.87	\$34,659,989.14	\$16,858,602.00	7.09	\$17,801,387.14	\$18,775,940.88	(\$974,553.74)	\$38,675,714.88	(2.5%)	1%	-1%	2%	(\$280,414.80)
031	Beals	\$290,643.55	\$283,660.54	\$269,225.22	7.44	\$14,435.32	\$86,132.92	(\$71,697.60)	\$590,236.45	(12.1%)	-4%	-10%	7%	\$0.00
032	Beddington	\$26,988.95	\$26,679.69	\$26,553.93	0.66	\$125.76	\$320.25	(\$194.49)	\$8,629.25	(2.3%)	3%	50%	-32%	\$0.00
040	Biddeford	\$28,351,283.44	\$27,751,087.24	\$17,991,229.50	7.09	\$9,759,857.74	\$11,147,850.82	(\$1,387,793.08)	\$28,350,344.92	(4.8%)	-2%	-2%	0%	(\$132,071.27)
044	Blue Hill	\$2,883,486.67	\$2,819,882.67	\$2,762,105.07	3.55	\$57,777.60	\$147,439.18	(\$89,681.58)	\$4,105,299.99	(2.2%)	8%	-2%	10%	\$13,848.53
049	Bowenbank	\$54,800.50	\$53,611.73	\$53,048.69	0.80	\$563.04	\$1,427.13	(\$864.09)	\$73,740.56	(1.2%)	0%	30%	-23%	\$0.00
053	Brewer	\$14,945,458.56	\$14,641,697.85	\$5,295,166.50	7.09	\$9,346,731.35	\$7,956,088.69	\$1,390,842.66	\$12,286,164.05	11.3%	1%	-1%	2%	\$1,894,125.86
054	Bridgewater	\$610,479.00	\$598,327.34	\$226,561.40	7.54	\$371,765.94	\$340,933.58	\$32,236.36	\$512,481.58	6.1%	18%	9%	9%	\$0.00
058	Brooklin	\$1,282,096.83	\$1,259,170.50	\$1,159,405.67	2.80	\$99,764.83	\$160,516.73	(\$60,751.90)	\$1,778,546.73	(3.4%)	4%	-1%	6%	(\$4,683.39)
060	Brooksville	\$1,021,387.67	\$999,251.56	\$972,363.29	1.95	\$26,898.27	\$68,507.45	(\$41,619.18)	\$1,602,889.89	(2.6%)	8%	6%	2%	\$7,323.19
063	Brunswick	\$27,958,356.65	\$27,305,363.54	\$15,399,480.00	7.09	\$11,905,883.54	\$14,738,710.33	(\$2,832,826.79)	\$29,918,015.33	(9.5%)	4%	-8%	13%	(\$37,463.44)
070	Caiais	\$5,772,680.27	\$5,665,126.69	\$1,241,733.64	7.66	\$4,423,393.05	\$4,525,663.23	(\$102,170.18)	\$5,807,830.11	(1.8%)	3%	0%	3%	(\$62,933.45)
075	Cape Elizabeth	\$15,887,156.49	\$15,494,959.75	\$12,963,358.00	7.09	\$2,531,239.75	\$2,571,271.16	(\$40,031.41)	\$17,816,761.16	(0.2%)	-6%	-2%	-3%	\$0.00
076	Caratunk	\$26,316.38	\$26,859.58	\$25,668.32	0.97	\$191.26	\$620.30	(\$429.04)	\$40,876.30	(1.0%)	10%	0%	10%	\$0.00
079	Carroll Pk	\$218,302.17	\$214,177.88	\$115,993.68	7.46	\$98,184.21	\$79,226.74	\$18,957.47	\$234,390.78	8.1%	12%	17%	-4%	\$1,316.24
083	Castine	\$771,200.13	\$753,730.18	\$735,610.82	1.93	\$18,119.36	\$54,888.10	(\$36,768.74)	\$1,137,545.83	(3.2%)	6%	3%	3%	\$4,552.64
085	Caswell	\$398,501.78	\$389,022.60	\$129,618.16	7.69	\$259,404.34	\$303,130.69	(\$43,726.35)	\$483,862.89	(9.0%)	9%	2%	7%	\$0.00
089	Charlotte	\$590,049.37	\$578,423.76	\$187,376.06	7.56	\$391,047.70	\$423,382.05	(\$32,334.35)	\$717,987.05	(4.5%)	7%	-2%	9%	\$1,589.25
100	Cooper	\$215,434.39	\$210,742.48	\$167,948.66	7.42	\$42,783.82	\$97,219.07	(\$54,425.25)	\$229,260.07	(23.7%)	14%	-2%	16%	\$1,088.83
101	Coplin Pk	\$151,871.33	\$148,697.18	\$144,586.57	4.88	\$4,010.61	\$4,901.60	(\$890.99)	\$267,520.60	(0.3%)	13%	-6%	20%	(\$153.00)
107	Crawford	\$182,237.54	\$179,271.68	\$116,923.60	7.40	\$62,348.08	\$66,769.42	(\$4,421.34)	\$181,110.22	(2.4%)	19%	8%	11%	\$0.00
111	Cutler	\$605,955.12	\$591,235.02	\$581,480.72	6.74	\$9,764.30	\$214,431.92	(\$204,677.62)	\$750,596.93	(27.3%)	17%	-8%	27%	\$6,668.88
113	Dallas Pk	\$401,143.34	\$392,582.66	\$365,574.50	2.95	\$27,008.16	\$19,416.66	\$7,591.50	\$521,856.52	1.5%	9%	-1%	11%	\$0.00
117	Deblois	\$47,495.18	\$46,690.78	\$46,320.67	1.10	\$370.11	\$1,163.20	(\$813.09)	\$48,779.00	(1.7%)	3%	0%	3%	\$0.00
118	Dedham	\$2,125,432.31	\$2,075,879.33	\$1,934,369.54	7.40	\$141,509.79	\$372,734.31	(\$231,224.52)	\$2,358,178.31	(9.8%)	1%	0%	2%	\$8,307.78
121	Dennistown Pk	\$8,230.76	\$8,138.76	\$8,093.79	0.99	\$44.97	\$587.50	(\$542.53)	#DIV/0!	3%	-75%	313%	3%	\$0.00
122	Dennysville	\$529,424.17	\$518,526.13	\$124,539.63	7.69	\$393,986.51	\$459,034.97	(\$65,048.47)	\$610,011.97	(10.7%)	3%	-19%	27%	\$3,220.15
129	Drew Pk	\$17,370.81	\$16,943.90	\$16,758.23	3.60	\$185.67	\$762.55	(\$576.88)	\$40,536.59	(1.4%)	0%	-17%	20%	\$0.00
135	East Machias	\$1,913,293.79	\$1,866,649.60	\$629,822.40	7.66	\$1,236,827.20	\$1,323,018.34	(\$86,191.14)	\$2,081,395.72	(4.1%)	9%	7%	2%	(\$88,359.58)
136	East Millinocket	\$2,267,491.01	\$2,216,410.46	\$1,519,558.21	7.45	\$696,842.25	\$846,439.21	(\$149,596.96)	\$2,948,313.21	(5.1%)	0%	-3%	3%	\$0.00
137	Easton	\$1,777,876.58	\$1,732,733.60	\$1,081,373.91	7.47	\$651,359.69	\$899,810.69	(\$248,451.00)	\$3,028,163.49	(8.2%)	1%	-5%	6%	\$0.00
138	Eastport	\$1,338,122.27	\$1,312,639.71	\$999,910.11	7.43	\$312,729.60	\$511,359.08	(\$198,629.48)	\$1,505,091.08	(13.2%)	15%	-7%	24%	\$0.00
140	Edgecomb	\$2,210,679.37	\$2,169,308.56	\$1,738,670.09	7.38	\$430,638.47	\$650,646.23	(\$220,007.76)	\$2,495,391.23	(8.6%)	1%	-1%	2%	(\$1,085.97)
151	Falmouth	\$21,159,300.23	\$20,675,682.26	\$15,195,706.00	7.09	\$5,478,956.26	\$8,378,104.08	(\$899,147.82)	\$24,532,905.08	(3.7%)	-2%	-1%	-2%	(\$41,225.00)
154	Fayette	\$1,463,512.49	\$1,434,224.39	\$1,238,663.86	7.40	\$195,560.53	\$341,320.27	(\$145,769.74)	\$1,556,722.61	(9.4%)	8%	-3%	12%	(\$5,091.31)
167	Georgetown	\$1,154,860.16	\$1,128,103.69	\$1,103,463.67	2.14	\$24,640.02	\$145,447.33	(\$120,807.31)	\$1,662,364.33	(7.3%)	-3%	8%	-2%	\$175.30
168	Gilead	\$324,642.73	\$318,042.26	\$212,953.66	7.43	\$105,110.60	\$154,045.08	(\$48,934.48)	\$332,731.08	(14.7%)	7%	-11%	20%	\$392.65
170	Glenwood Pk	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	17%	0%	1%	1%	\$0.00
171	Gorham	\$27,384,834.79	\$26,780,052.50	\$10,580,052.50	7.09	\$16,200,563.42	\$17,458,955.41	(\$1,258,391.99)	\$29,180,296.41	(4.3%)	0%	-1%	1%	(\$228,364.25)
174	Grand Isle	\$547,324.88	\$533,815.25	\$195,203.11	7.58	\$338,612.14	\$434,778.49	(\$96,166.35)	\$555,218.43	(17.3%)	48%	-2%	52%	\$0.00
175	Gr Lake Str Pk	\$49,589.63	\$48,795.65	\$48,457.29	2.61	\$338.26	\$1,228.05	(\$889.79)	\$52,546.05	(1.7%)	-22%	-11%	-13%	\$0.00
177	Greenbush	\$2,060,841.18	\$2,018,185.84	\$447,601.33	7.76	\$1,570,584.52	\$1,547,368.32	\$23,216.20	\$2,299,672.82	1.0%	0%	-4%	4%	\$2,595.03

*School administrative unit has not successfully submitted data into the MEDMS Financial System
Copy of PrelimGPA_FY11_01Feb2010_wARRA_web

Miscellaneous Adjustments include:
Audit Adjustments for Prior Years, Long-Term Drug Treatment Adjustment

2010-11 General Purpose for Local Schools (Fund 100) and ARRA State Fiscal Stabilization Funds (Fund 020) - PRELIMINARY					Comparison to Prior Year									
Amounts do not include "unbonded" debt for approved school construction projects.					Amounts do not include Miscellaneous Adjustments									
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	
	Conforming Unit Mill Expectation at			7.09										
	NON-Conforming Unit Mill Expectation at			7.15										
	Min. Subsidy at			3%										
	Min. Spec. Ed. at			30%										
	Includes Federal ARRA Stabilization Funds (020)					2009-10	Enacted	2009-10	Percent					
						Enacted	2009-10	Total	Gain or					
						Adjusted	to	State & Local	of Total					
						State Share	Supplemental	Approved	State &					
						Including	2010-11	Spending	Local					
UNIT	(Includes Adjustments under 20-A MRSA 1968)					Federal ARRA	Gain or	(Includes Local Required,	Approved					
Code	sub-sections 1, 1-A, 1-B and 2 and Penalties Section 1569)					Stabilization	(Loss)	Add'l Local & State Subsidy)	Spending					
School Administrative Units	100%	87%				(EO 279 Line 50)	(EO 279 Line 50)	as of 12/28/2010						
	Allocation at	Allocation at	Adjusted	Adjusted	2010-11	(EO 279 Line 50)	(EO 279 Line 50)	(EO 279 Line 50)	VALS	K-12	VALS	PER	Amount	
			Required	Local Share	State Share				AVG.	AVG.	PUPIL		Change	
			Local Share	Mill Rate	Including ARRA								In Debt	
													Service	
													2009-10	
													to	
													2010-11	
180	Greenville	\$1,937,375.18	\$1,889,781.98	\$1,815,494.32	5.45	\$74,287.66	\$164,212.95	(\$89,925.29)	\$2,442,571.06	(3.7%)	6%	-5%	12%	\$0.00
187	Herron	\$8,278,929.17	\$8,087,979.83	\$3,217,170.58	7.54	\$4,870,809.26	\$5,651,803.00	(\$780,993.74)	\$8,610,282.00	(9.1%)	7%	-2%	8%	(\$33,905.25)
198	Hersey	\$34,324.30	\$33,753.18	\$32,532.24	4.12	\$1,220.94	\$1,862.65	(\$641.71)		#DIV/0!	7%	-57%	149%	\$0.00
199	Highland PIL	\$71,740.90	\$69,748.64	\$62,822.33	7.44	\$6,926.32	\$49,424.86	(\$42,498.55)	\$116,679.30	(36.4%)	13%	-20%	41%	\$0.00
204	Hope	\$1,331,341.12	\$1,302,077.45	\$912,124.80	7.44	\$389,952.65	\$475,580.91	(\$85,628.22)	\$1,647,901.04	(5.2%)	6%	3%	3%	\$0.00
210	Isle Au Haut	\$134,793.30	\$132,493.77	\$125,890.40	1.55	\$6,503.37	\$19,468.59	(\$12,865.22)	\$230,986.59	(5.6%)	5%	-8%	14%	\$974.31
211	Islesboro	\$808,735.56	\$789,199.47	\$766,479.41	1.25	\$22,720.06	\$48,606.09	(\$25,886.03)	\$1,611,620.09	(1.6%)	3%	-3%	7%	\$0.00
214	Jay	\$7,551,957.84	\$7,385,957.50	\$6,945,539.98	7.39	\$440,417.52	\$1,302,493.76	(\$862,076.26)	\$9,069,465.10	(9.5%)	1%	-1%	2%	(\$19,727.07)
216	Jonesboro	\$713,631.10	\$696,747.59	\$483,231.28	7.45	\$213,516.32	\$328,388.99	(\$114,872.69)	\$859,296.08	(13.4%)	11%	-5%	18%	\$2,858.25
217	Jonesport	\$815,529.67	\$794,487.26	\$781,170.09	6.68	\$13,317.17	\$34,439.92	(\$21,122.75)	\$949,657.34	(2.2%)	6%	13%	-6%	\$0.00
222	Kingsbury PIL	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$1,138.65	0.0%	15%	0%	15%	\$0.00
223	Kittery	\$10,768,242.37	\$10,545,833.53	\$9,589,842.78	5.79	\$956,190.75	\$1,063,025.07	(\$106,834.32)	\$13,225,370.55	(0.8%)	2%	-4%	6%	(\$16,923.95)
226	Lake View Pit.	\$7,144.90	\$6,930.55	\$5,841.66	0.06	\$88.89	\$295.80	(\$206.91)	\$19,050.00	(1.1%)	5%	0%	5%	\$0.00
227	Lakeville	\$58,058.48	\$58,696.90	\$56,127.23	0.80	\$569.67	\$1,497.00	(\$927.33)	\$43,590.16	(2.1%)	30%	20%	8%	\$758.25
233	Lewisston	\$52,778,334.36	\$51,684,028.86	\$18,303,189.50	7.09	\$33,880,839.36	\$33,734,580.59	(\$353,741.23)	\$49,654,484.59	(0.7%)	3%	2%	1%	(\$70,573.44)
239	Lincoln PIL	\$24,004.60	\$23,638.74	\$23,286.99	0.95	\$351.75	\$565.75	(\$214.00)	\$15,469.81	(1.4%)	12%	0%	12%	\$0.00
240	Lincolnton	\$2,345,187.33	\$2,304,072.36	\$1,790,395.63	5.70	\$513,675.73	\$543,874.28	(\$30,198.55)	\$2,837,458.35	(1.1%)	6%	-3%	8%	(\$15,683.15)
242	Lisbon	\$12,763,382.63	\$12,482,183.74	\$4,443,303.00	7.09	\$8,038,880.74	\$8,879,678.68	(\$840,797.94)	\$13,713,165.58	(6.1%)	5%	-3%	8%	(\$30,593.97)
249	Lowell	\$267,450.27	\$262,036.68	\$271,503.46	6.06	\$10,533.42	\$25,614.37	(\$15,080.95)	\$339,170.25	(4.4%)	13%	5%	8%	(\$515.01)
253	Machias	\$2,468,813.68	\$2,414,761.95	\$1,035,615.04	7.55	\$1,379,146.91	\$1,383,868.06	(\$4,721.15)	\$2,877,869.39	(0.2%)	13%	7%	5%	(\$18,000.00)
254	Machiasport	\$897,883.85	\$878,030.66	\$864,714.84	7.38	\$13,315.82	\$274,610.03	(\$261,294.21)	\$1,164,332.78	(22.4%)	21%	-4%	26%	\$13,477.85
255	Macwahoc PIL	\$111,429.67	\$109,837.89	\$49,180.85	7.45	\$60,657.04	\$70,025.01	(\$9,367.97)	\$128,896.01	(7.3%)	3%	0%	3%	\$0.00
256	Madawaska	\$6,114,292.78	\$5,980,756.24	\$2,910,619.56	7.48	\$3,070,136.68	\$3,600,876.45	(\$530,739.77)	\$6,867,010.94	(7.7%)	1%	-5%	6%	(\$18,653.34)
259	Magalloway PIL	\$41,784.55	\$40,938.98	\$40,235.48	2.44	\$703.50	\$8,646.94	(\$7,943.44)	\$76,200.16	(10.4%)	10%	-20%	37%	\$0.00
263	Marshfield	\$564,776.34	\$550,111.20	\$291,870.25	7.53	\$258,240.95	\$407,218.17	(\$148,977.22)	\$782,370.32	(19.0%)	7%	7%	-1%	\$5,078.43
270	Meddybemps	\$152,322.34	\$148,960.81	\$146,909.21	6.57	\$2,051.60	\$32,854.79	(\$30,803.19)	\$161,925.79	(19.0%)	14%	-11%	28%	\$0.00
271	Medway	\$1,631,214.22	\$1,593,289.80	\$482,522.23	7.68	\$1,110,767.58	\$1,231,562.33	(\$120,794.76)	\$2,223,067.33	(5.4%)	8%	-8%	17%	\$0.00
276	Millford	\$4,010,391.75	\$3,922,893.18	\$1,348,342.58	7.56	\$2,574,550.61	\$2,597,064.52	(\$22,513.91)	\$4,440,289.61	(0.5%)	-1%	-1%	0%	(\$11,473.78)
277	Millinocket	\$4,581,030.07	\$4,479,546.39	\$2,379,994.30	7.51	\$2,099,552.09	\$2,582,798.62	(\$483,246.53)	\$6,339,695.62	(7.6%)	2%	-6%	8%	\$0.00
280	Monhegan Pit	\$45,847.80	\$45,083.52	\$44,620.66	0.46	\$462.86	\$7,834.23	(\$7,371.37)		#DIV/0!	14%	-40%	90%	\$0.00
287	Moro PIL	\$35,830.52	\$34,881.37	\$34,478.41	3.40	\$402.96	\$1,342.95	(\$939.99)		#DIV/0!	10%	0%	10%	\$0.00
294	Nashville Pit.	\$51,290.56	\$49,880.95	\$49,201.27	2.23	\$679.68	\$5,325.44	(\$5,645.76)	\$68,545.61	(8.2%)	3%	-16%	22%	\$0.00
305	New Sweden	\$695,717.36	\$679,472.69	\$258,902.64	7.57	\$420,569.95	\$468,826.12	(\$68,256.17)	\$682,793.12	(10.0%)	12%	1%	11%	(\$15,814.51)
310	Northfield	\$134,875.75	\$131,995.51	\$130,070.30	3.12	\$1,925.21	\$5,190.07	(\$4,264.85)	\$192,833.56	(2.2%)	3%	-18%	26%	\$495.67
322	Orient	\$159,389.28	\$155,995.95	\$154,050.46	4.34	\$1,945.49	\$6,390.81	(\$4,445.32)	\$216,366.66	(2.1%)	14%	33%	-15%	\$0.00
325	Ornington	\$5,439,515.28	\$5,314,982.86	\$2,489,983.15	7.50	\$2,824,999.71	\$3,075,863.75	(\$250,864.04)	\$5,889,625.39	(4.3%)	0%	0%	0%	\$9,416.42
327	Olis	\$568,909.34	\$573,535.13	\$560,438.72	3.66	\$13,095.41	\$52,441.10	(\$39,344.69)	\$727,751.06	(5.4%)	12%	-4%	16%	\$861.38
339	Pembroke	\$1,333,940.28	\$1,306,427.40	\$627,721.84	7.48	\$678,705.56	\$773,453.57	(\$94,748.01)	\$1,438,122.57	(6.6%)	11%	3%	8%	(\$7,295.69)
340	Penobscot	\$935,174.48	\$912,853.83	\$898,886.35	5.47	\$12,957.48	\$33,481.35	(\$20,523.87)	\$1,303,556.58	(1.6%)	2%	-13%	18%	\$6,889.37
342	Perry	\$1,191,142.31	\$1,162,737.26	\$682,499.38	7.50	\$480,237.89	\$710,173.18	(\$229,935.30)	\$1,437,447.18	(16.0%)	19%	-5%	25%	\$3,246.16
348	Pleasant Rdge Pl	\$113,447.34	\$111,447.91	\$108,031.66	1.53	\$3,416.25	\$12,080.49	(\$8,664.24)	\$187,800.49	(4.6%)	14%	-5%	20%	\$0.00
353	Portland	\$74,856,450.63	\$73,191,029.15	\$58,729,660.50	7.09	\$14,461,368.65	\$17,770,364.69	(\$3,308,995.04)	\$82,516,400.29	(4.0%)	0%	0%	0%	\$976,006.98
355	Long Island	\$333,491.87	\$326,459.06	\$306,096.98	2.22	\$20,362.08	\$33,330.46	(\$12,968.38)	\$439,196.46	(3.0%)	16%	4%	12%	\$0.00
357	Princeton	\$1,182,755.07	\$1,154,575.10	\$370,676.15	7.64	\$783,898.95	\$965,061.81	(\$181,162.86)	\$1,439,091.81	(12.6%)	7%	6%	1%	(\$162,616.40)
360	Rangleley	\$1,392,033.38	\$1,360,680.50	\$1,303,754.39	2.19	\$56,925.11	\$95,846.86	(\$41,920.75)	\$1,867,655.49	(2.2%)	2%	-5%	7%	\$0.00
361	Rangleley PIL	\$190,294.87	\$187,038.52	\$174,531.05	0.80	\$12,507.47	\$1,822.66	(\$6,315.19)	\$197,576.87	(2.7%)	-7%	-3%	-4%	\$0.00
364	Reed Pit	\$256,483.13	\$252,322.82	\$80,702.71	7.54	\$171,620.11	\$183,859.24	(\$22,239.13)	\$258,987.89	(8.6%)	5%	-12%	19%	\$2,757.43
367	Robbinston	\$775,452.75	\$757,322.48	\$374,057.50	7.51	\$383,264.98	\$449,355.28	(\$66,090.30)	\$745,446.15	(8.9%)	19%	5%	13%	\$0.00
371	Roque Bluffs	\$325,669.75	\$319,231.66	\$305,773.18	3.79	\$13,458.48	\$31,021.88	(\$17,563.40)	\$371,609.58	(4.7%)	12%	1%	11%	\$815.76
380	Sandy River PIL	\$109,208.68	\$106,961.85	\$102,938.55	1.03	\$4,023.30	\$3,530.75	\$492.55	\$32,646.65	1.5%	11%	-12%	26%	\$0.00

*School administrative unit has not successfully submitted data into the MEDMS Financial System
Copy of PrelimGPA_FY11_01Feb2010_wARRA_web

Miscellaneous Adjustments Include:
Audit Adjustments for Prior Years, Long-Term Drug Treatment Adjustment

General Purpose Aid for Local Schools
Supplemental FY 11 Budget

PRELIMINARY
Revised 2/1/2010

2/1/2010

2010-11 General Purpose for Local Schools (Fund 100) and ARRA State Fiscal Stabilization Funds (Fund 020) - PRELIMINARY					Comparison to Prior Year									
Amounts do not include "unbonded" debt for approved school construction projects.					Amounts do not include Miscellaneous Adjustments									
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	
	Conforming Unit Mill Expectation at			7.09										
	NON-Conforming Unit Mill Expectation at			7.15										
	Min. Subsidy at			3%										
	Min. Spec. Ed. at			30%										
	Includes Federal ARRA Stabilization Funds (020)					2009-10	Enacted	2009-10	Percent				Amount	
						Enacted	2009-10	Total	Gain or				Change	
						Adjusted	to	State & Local	of Total				In Debt	
						State Share	Supplemental	Approved	State &				Service	
						Including	2010-11	Spending	Local				2009-10	
UNIT	Allocation at	Allocation at	(Includes Adjustments under 20-A MRSA 15689)		Federal ARRA	Gain or	(Includes Local Required,	Approved		Percentage Change		VALS	to	
Code	100%	97%	sub-sections 1, 1A, 1-B and 2 and Penalties Section 15685)		Stabilization	(Loss)	Add Local & State Subsidy)	Spending		K-12	PER	2010-11	2010-11	
			(EO 279 Line 56)		(EO 279 Line 55)	(EO 279 Line 56)	as of 1/26/2010			AVG.	PUPIL			
381	Sanford	\$31,192,567.93	\$30,464,724.66	\$11,571,589.00	7.09	\$18,893,135.66	\$20,123,594.26	(\$1,230,458.60)	\$30,903,288.26	(4.0%)	2%	-1%	3%	(\$335,465.40)
383	Scarborough	\$31,012,766.68	\$30,275,116.84	\$25,263,442.50	7.09	\$5,011,674.34	\$7,043,070.05	(\$2,031,395.71)	\$29,566,856.05	(6.9%)	1%	0%	1%	(\$26,121.88)
388	Seboeis Pilt	\$7,863.18	\$7,781.04	\$6,891.97	0.81	\$889.07	\$4,985.21	(\$4,096.14)	\$32,608.01	(12.6%)	13%	-80%	463%	(\$177.72)
389	Sedgwick	\$1,330,769.01	\$1,301,341.80	\$1,268,243.80	4.53	\$33,098.00	\$122,346.82	(\$89,248.82)	\$1,643,152.82	(5.4%)	25%	1%	24%	\$8,735.44
392	Shirley	\$151,303.86	\$148,784.53	\$137,474.37	4.36	\$11,310.16	\$18,835.39	(\$7,525.23)	\$188,694.53	(4.0%)	16%	-26%	56%	\$0.00
402	Southport	\$545,099.97	\$532,915.98	\$516,082.92	0.72	\$16,833.06	\$50,324.96	(\$33,491.90)	\$990,343.96	(3.4%)	5%	6%	0%	\$266.87
403	South Portland	\$31,117,783.01	\$30,399,200.60	\$27,251,833.00	7.09	\$3,147,367.60	\$4,819,652.78	(\$1,672,185.18)	\$36,505,443.78	(4.6%)	0%	1%	-1%	\$0.00
420	Surry	\$1,725,099.24	\$1,689,793.35	\$1,633,022.72	4.86	\$66,770.63	\$104,995.51	(\$48,224.88)	\$2,413,009.16	(2.0%)	0%	-8%	9%	\$8,781.48
424	Talmadge	\$85,951.40	\$83,955.13	\$99,440.11	7.51	\$44,515.02	\$54,698.96	(\$10,183.94)	\$104,559.96	(9.7%)	13%	-17%	37%	\$195.55
426	The Forks Pilt	\$53,003.21	\$52,109.76	\$51,737.40	1.19	\$372.36	\$698.80	(\$526.44)	\$58,460.80	(0.9%)	18%	33%	-11%	\$0.00
436	Upton	\$77,615.57	\$76,333.96	\$74,607.42	3.42	\$1,726.54	\$10,689.54	(\$8,963.00)	\$99,031.75	(9.1%)	17%	-19%	44%	(\$21.25)
438	Vanceboro	\$238,925.31	\$234,096.04	\$70,154.83	7.67	\$163,941.22	\$235,306.79	(\$71,355.58)	\$348,349.99	(20.5%)	5%	-14%	22%	\$0.00
445	Waite	\$135,731.90	\$133,284.93	\$70,678.31	7.44	\$62,605.62	\$106,830.39	(\$44,223.77)	\$167,161.39	(26.5%)	5%	-11%	18%	\$0.00
446	Wesley	\$78,423.89	\$76,834.44	\$76,229.94	4.17	\$604.50	\$2,126.03	(\$1,521.53)	\$137,662.75	(1.1%)	7%	-12%	21%	\$577.76
465	Westbrook	\$27,989,023.51	\$27,429,606.32	\$13,078,568.50	7.09	\$14,350,937.82	\$15,665,946.28	(\$1,315,008.46)	\$29,361,438.28	(4.5%)	-1%	-1%	-1%	(\$118,262.10)
467	West Forks	\$27,682.23	\$27,100.96	\$27,100.96	1.51	\$179.66	\$293.75	(\$114.09)	\$39,182.02	(0.3%)	7%	100%	-4%	\$0.00
469	Westmanland	\$22,552.13	\$22,361.27	\$22,270.78	1.50	\$90.48	\$297.55	(\$207.07)	\$24,376.94	(0.8%)	12%	0%	12%	\$0.00
474	Whiting	\$489,979.74	\$478,497.97	\$470,477.30	7.31	\$8,020.67	\$112,512.89	(\$104,492.21)	\$510,281.55	(20.5%)	7%	-5%	13%	\$3,291.45
475	Whitneyville	\$255,925.78	\$251,067.90	\$88,471.94	7.56	\$162,595.66	\$190,364.56	(\$27,769.00)	\$265,244.94	(10.5%)	7%	-16%	27%	(\$182.83)
476	Williamantic	\$127,490.66	\$124,987.07	\$121,048.65	2.05	\$3,938.42	\$6,448.60	(\$2,510.18)	\$166,568.91	(1.6%)	10%	-11%	23%	(\$46.07)
485	Winthrop	\$6,480,356.74	\$8,303,571.36	\$4,546,836.60	7.46	\$3,756,734.75	\$4,867,204.13	(\$1,110,469.37)	\$9,407,843.13	(11.8%)	6%	-2%	8%	(\$34,865.06)
487	Woodland	\$1,554,185.84	\$1,516,086.14	\$405,630.04	7.73	\$1,110,456.10	\$1,313,197.35	(\$202,741.25)	\$1,638,660.60	(12.4%)	13%	-5%	19%	\$0.00
488	Woodville	\$422,223.57	\$414,466.09	\$126,106.63	7.60	\$289,359.47	\$304,354.74	(\$15,995.28)	\$397,993.74	(4.0%)	13%	-1%	14%	\$0.00
491	Yarmouth	\$13,820,985.06	\$13,504,396.38	\$11,844,554.00	7.09	\$1,659,842.38	\$2,737,035.27	(\$1,077,192.89)	\$17,958,367.27	(6.0%)	3%	0%	3%	(\$16,671.00)
492	York	\$18,501,544.46	\$18,076,776.80	\$17,123,690.42	4.15	\$953,086.38	\$1,673,358.99	(\$620,272.61)	\$22,960,298.99	(2.7%)	0%	0%	0%	(\$16,415.00)
493	Baring Pilt	\$389,442.07	\$380,724.27	\$100,063.29	7.67	\$280,660.98	\$320,898.13	(\$40,237.15)	\$435,152.02	(9.2%)	10%	4%	6%	\$0.00
495	Medford	\$251,898.62	\$246,777.20	\$121,349.03	7.49	\$125,428.18	\$124,445.46	\$982.71	#DIV/0!		1%	-2%	3%	\$0.00
496	Carrabassett Val	\$738,448.08	\$721,522.42	\$702,997.59	1.23	\$18,524.83	\$46,732.26	(\$28,207.43)	\$1,099,975.26	(2.6%)	5%	1%	4%	\$8,863.00
497	Beaver Cove	\$122,277.05	\$119,696.04	\$112,173.82	1.47	\$7,522.22	\$12,631.17	(\$5,108.95)	\$131,690.90	(3.9%)	5%	9%	-3%	\$0.00
499	Chebeague Island	\$670,477.89	\$660,656.83	\$507,314.62	2.14	\$153,342.21	\$167,781.23	(\$14,439.02)	\$856,670.23	(1.7%)	2%	-6%	8%	(\$5,053.65)
School Administrative Districts - Reformulated Regional School Units														
501	RSU 79 / SAD 01	\$18,997,074.70	\$18,593,267.30	\$4,930,386.00	7.09	\$13,662,881.30	\$14,364,038.63	(\$701,157.33)	\$20,620,755.90	(3.4%)	7%	-2%	10%	\$0.00
503	RSU 03 / SAD 03	\$17,773,854.86	\$17,466,934.97	\$5,100,191.50	7.09	\$12,366,743.47	\$13,210,734.82	(\$843,991.35)	\$19,161,400.00	(4.4%)	8%	1%	8%	(\$119,347.42)
504	RSU 80 / SAD 04	\$6,440,494.16	\$6,293,873.65	\$2,874,444.73	7.52	\$3,419,428.93	\$4,086,104.98	(\$666,676.05)	\$6,705,527.85	(9.9%)	13%	-5%	19%	(\$16,401.52)
506	RSU 06 / SAD 06	\$40,411,945.92	\$39,522,278.19	\$18,721,854.00	6.65	\$20,800,424.19	\$21,568,134.08	(\$767,709.89)	\$39,500,299.08	(1.9%)	1%	1%	1%	(\$96,569.95)
507	RSU 07 / SAD 07	\$683,112.02	\$668,500.07	\$628,899.93	1.47	\$39,601.14	\$70,131.33	(\$30,530.19)	\$1,576,837.30	(1.9%)	6%	-2%	8%	\$0.00
508	RSU 08 / SAD 08	\$2,681,145.37	\$2,813,688.75	\$1,977,739.10	3.76	\$835,949.65	\$993,918.00	(\$157,968.35)	\$3,169,919.78	(1.8%)	-1%	-6%	6%	(\$24,561.32)
509	RSU 09 / SAD 09	\$21,191,960.22	\$20,700,170.61	\$8,342,168.53	6.84	\$12,358,002.08	\$14,270,916.55	(\$1,912,914.47)	\$22,251,075.55	(8.6%)	9%	-2%	12%	(\$241,668.21)
511	RSU 11 / SAD 11	\$19,103,709.01	\$18,665,139.91	\$5,310,454.50	7.09	\$12,354,685.41	\$12,808,854.31	(\$454,168.90)	\$19,899,904.64	(2.3%)	5%	0%	5%	(\$162,436.45)
512	RSU 82 / SAD 12	\$1,571,081.65	\$1,530,914.89	\$738,778.00	7.09	\$792,136.89	\$849,488.50	(\$57,351.61)	\$1,947,470.05	(2.9%)	4%	-5%	9%	\$0.00
513	RSU 83 / SAD 13	\$2,074,101.01	\$2,023,301.94	\$918,852.44	7.51	\$1,104,449.50	\$1,281,805.76	(\$177,356.26)	\$2,386,503.00	(7.4%)	11%	-5%	17%	\$0.00
514	RSU 84 / SAD 14	\$1,210,785.93	\$1,183,380.24	\$557,147.65	6.35	\$626,212.59	\$744,755.08	(\$118,542.49)	\$1,378,553.18	(8.6%)	8%	-9%	19%	\$0.00
515	RSU 15 / SAD 15	\$18,212,873.99	\$17,781,602.88	\$10,228,743.00	7.09	\$7,552,859.88	\$8,717,907.39	(\$1,165,047.51)	\$18,897,959.45	(6.2%)	1%	-1%	2%	(\$135,690.74)
517	RSU 17 / SAD 17	\$35,709,390.97	\$34,984,410.18	\$17,586,390.50	7.09	\$17,398,019.68	\$19,353,391.48	(\$1,955,371.80)	\$34,389,112.99	(5.7%)	6%	0%	6%	(\$227,505.36)
519	RSU 85 / SAD 19	\$1,272,476.47	\$1,244,035.51	\$1,214,928.23	7.33	\$29,107.29	\$601,908.27	(\$572,800.99)	\$2,022,983.79	(28.3%)	4%	-10%	16%	\$0.00
520	RSU 86 / SAD 20	\$4,843,061.56	\$4,741,568.48	\$1,244,488.09	7.71	\$3,497,080.39	\$3,683,350.66	(\$186,270.27)	\$5,461,616.66	(3.4%)	7%	-1%	9%	(\$15,865.52)
522	RSU 22 / SAD 22	\$20,847,096.09	\$20,376,273.72	\$6,498,694.00	7.09	\$13,877,579.72	\$14,319,659.47	(\$442,079.75)	\$22,205,504.31	(2.0%)	4%	0%	3%	(\$7,469.49)
523	RSU 87 / SAD 23	\$7,755,926.28	\$7,576,308.45	\$2,309,825.19	7.66	\$5,266,481.26	\$5,400,719.53	(\$134,238.27)	\$7,462,077.24	(1.8%)	5%	-1%	7%	(\$13,223.93)
524	RSU 89 / SAD 24	\$3,829,430.89	\$3,741,309.66	\$735,468.76	7.82	\$3,005,840.90	\$3,206,038.56	(\$200,197.65)	\$3,884,038.66	(5.2%)	7%	-6%	14%	\$0.00
525	RSU 89 / SAD 25	\$3,659,315.04	\$3,576,158.64	\$1,084,171.00	7.63	\$2,492,057.24	\$2,842,790.91	(\$350,733.67)	\$3,985,020.00	(3.8%)	2%	-6%	8%	\$0.00

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Miscellaneous Adjustments include:
Audit Adjustments for Prior Years, Long-Term Drug Treatment Adjustment

2010-11 General Purpose for Local Schools (Fund 100) and ARRA State Fiscal Stabilization Funds (Fund 020) - PRELIMINARY						Comparison to Prior Year									
Amounts do not include "unbonded" debt for approved school construction projects.						Amounts do not include Miscellaneous Adjustments									
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)		
		Conforming Unit Mill Expectation at		7.09											
		NON-Conforming Unit Mill Expectation at		7.15											
		Min. Subsidy at		3%											
		Min. Spec. Ed. at		30%											
		Includes Federal ARRA Stabilization Funds (020)				2009-10	Enacted	2009-10	Total	Percent			Amount		
				Adjusted	Adjusted	Adjusted	Adjusted	Adjusted	Gain or				Change		
		EPS	EPS	Required	Local Share	State Share	State Share	Supplemental	(Loss)				In Debt		
		Total	Total	Local Share	Mill Rate	Including ARRA	Including	2010-11	Spending	of Total	Percentage Change		Service		
		Allocation at	Allocation at	(Includes Adjustments under 20-A MRSA 15689			Federal ARRA	Gain or	(Includes Local Required,	Approved	for State Valuations		2009-10		
		100%	97%	sub-sections 1, 1-A, 1-B and 2 and Penalties Section 15699)			Stabilization	(Loss)	Add Local & State Subsidy	Spending	and Cal. Yr. Avg. Pupils		to		
				(ED 279 Line 50)			(ED 279 Line 50)		as of 1/26/2010		VALS	K-12	PER	2010-11	
				(ED 279 Line 50)			(ED 279 Line 50)				AVG.	AVG.	PUPIL		
821	RSU 21	\$29,496,817.48	\$28,848,649.01	\$24,472,603.58	5.34	\$4,376,045.43	\$6,259,661.17	(\$1,883,615.73)	\$34,070,321.31	(5.5%)	0%	-1%	1%	(\$298,417.92)	
823	RSU 23	\$37,343,690.30	\$36,432,442.79	\$23,782,226.05	6.08	\$12,650,214.74	\$12,680,562.92	(\$30,348.19)	\$39,728,503.92	(0.1%)	-1%	1%	-2%	\$275,954.21	
824	RSU 24	\$26,162,696.01	\$25,619,595.85	\$19,078,365.69	6.21	\$6,541,230.16	\$7,920,408.34	(\$1,379,178.18)	\$27,221,617.75	(5.1%)	6%	-1%	7%	(\$63,959.35)	
825	RSU 25	\$11,543,425.83	\$11,294,301.00	\$6,917,713.00	7.09	\$4,376,588.00	\$5,557,209.26	(\$1,180,621.26)	\$13,751,021.19	(6.6%)	3%	0%	3%	(\$259,800.56)	
826	RSU 26	\$14,782,660.24	\$14,454,068.35	\$6,731,955.00	7.09	\$7,722,113.35	\$8,351,365.14	(\$629,251.79)	\$19,393,328.14	(3.2%)	3%	-3%	6%	(\$2,929.63)	
834	RSU 34	\$12,369,791.94	\$12,086,680.83	\$4,468,118.00	7.09	\$7,618,562.83	\$8,220,129.83	(\$601,567.00)	\$14,688,679.10	(4.1%)	6%	3%	3%	(\$24,807.77)	
838	RSU 38	\$12,258,094.95	\$11,979,961.33	\$7,433,102.76	7.03	\$4,546,858.57	\$5,533,486.94	(\$986,628.37)	\$13,134,589.94	(7.5%)	6%	-3%	9%	(\$40,834.83)	
839	RSU 39	\$15,229,984.45	\$14,887,869.41	\$2,854,788.50	7.09	\$12,033,080.91	\$12,671,516.43	(\$638,435.52)	\$16,074,671.93	(4.0%)	3%	-3%	7%	\$0.00	
867	RSU 67	\$9,496,533.59	\$9,285,282.24	\$2,748,793.00	7.09	\$6,536,489.24	\$6,880,695.18	(\$344,205.94)	\$11,496,418.21	(3.0%)	6%	-5%	12%	\$0.00	
Alternative Organizational Structures															
891	AOS 91	\$14,607,513.74	\$14,279,627.03	\$13,462,660.89	2.47	\$816,946.14	\$1,211,132.14	(\$394,186.00)	\$23,283,075.14	(1.7%)	8%	-2%	10%	(\$321.54)	
892	AOS 92	\$35,200,537.62	\$34,390,298.62	\$12,078,878.50	7.09	\$22,311,420.12	\$24,218,472.91	(\$1,907,052.79)	\$37,358,728.82	(5.1%)	7%	-2%	10%	(\$24,496.51)	
893	AOS 93	\$15,421,138.76	\$15,077,769.87	\$14,044,133.03	3.92	\$1,033,636.84	\$1,531,067.04	(\$497,430.21)	\$18,706,750.04	(2.7%)	3%	-3%	5%	\$140,341.76	
894	AOS 94	\$12,793,843.36	\$12,568,340.70	\$2,838,127.00	7.09	\$9,730,213.70	\$10,056,321.42	(\$326,107.72)	\$12,518,958.72	(2.6%)	8%	-1%	10%	(\$75,271.32)	
895	AOS 95	\$9,425,126.87	\$9,205,713.91	\$2,964,403.79	7.07	\$6,242,310.12	\$6,641,864.10	(\$399,553.98)	\$10,406,155.11	(3.8%)	7%	-1%	8%	(\$18,176.00)	
Community School Districts															
903	BOOTHBAY-BOOTHBAY HARBOR CSD	\$5,032,646.72	\$5,892,333.91	\$5,743,444.02	2.95	\$148,889.89	\$434,712.55	(\$285,822.66)	\$7,487,205.55	(3.8%)	2%	-3%	5%	\$0.00	
908	AIRLINE CSD	\$638,956.37	\$625,012.51	\$452,027.43	6.19	\$172,985.08	\$232,049.26	(\$59,064.18)	\$739,298.26	(8.0%)	6%	7%	2%	\$2,765.37	
909	SOUTHERN AROOSTOOK CSD	\$3,765,015.44	\$3,684,603.80	\$1,315,422.08	7.59	\$2,369,381.73	\$2,499,923.13	(\$130,541.41)	\$4,565,715.13	(2.9%)	6%	4%	5%	\$0.00	
912	EAST RANGE II CSD	\$412,277.64	\$404,690.28	\$145,626.94	7.49	\$269,063.34	\$280,843.19	(\$21,779.85)	\$478,948.71	(4.5%)	6%	-10%	18%	\$0.00	
913	DEER ISLE-STONINGTON CSD	\$4,136,855.80	\$4,058,021.79	\$3,677,909.78	3.91	\$380,112.01	\$623,852.40	(\$243,740.39)	\$5,688,565.32	(4.3%)	5%	-5%	11%	(\$16,572.16)	
917	MOOSABEC CSD	\$822,443.80	\$800,968.33	\$563,909.24	7.43	\$237,059.09	\$276,964.39	(\$39,925.30)	\$1,044,538.43	(3.8%)	-3%	-1%	-2%	\$0.00	
918	WELLS-OGUNQUIT CSD	\$14,153,379.64	\$13,822,878.62	\$13,163,757.93	3.04	\$659,120.69	\$1,067,789.51	(\$408,668.82)	\$18,584,235.51	(2.2%)	5%	-3%	9%	\$0.00	
919	FIVE TOWN CSD	\$9,092,364.51	\$8,934,927.02	\$7,665,620.96	7.15	\$1,269,306.06	\$2,597,250.67	(\$1,327,944.61)	\$10,873,938.67	(12.2%)	4%	-2%	6%	(\$38,985.19)	

*School administrative unit has not successfully submitted data into the MEDMS Financial System
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Miscellaneous Adjustments Include:
Audit Adjustments for Prior Years, Long-Term Drug Treatment Adjustment

Proposed FY 2011 reductions to Adult Education –
Information for AFA – Feb. 2, 2010

TOTAL reduction to Adult Education State Funding \$580,000 (10%)

Local Program Subsidy – Reduced by \$315,070:

Impact would be a direct reduction of services for essential program areas (high school completion, literacy, ESOL, and skill training). Enrollments in these areas are up 36% over past 2 years, due largely to the elevated unemployment rate. Local school budgets are unlikely to make up the loss of state subsidy in the current climate.

While the decision as to how to absorb cuts is a local one; a hypothetical scenario is that the cut of \$315,070 could equal the loss of 315 course sections, potentially impacting as many as 4000 enrollments from our core programs. This is based on \$1000 as the cost of the average course serving an average of 12 students. The FY2009 enrollment in the academic and job skills classes was 56,583.

Maine Adult Education is grateful for the statement from the Education Committee requesting that the \$315,070 be restored if funding is found. However, we would hope that the following factors be taken into account in determining the restoration amount:

Enrichment Subsidy – Reduced by \$184,930:

Enrichment courses in adult education are not subsidized by state dollars and the administration of the enrichment programs is covered by nearly all programs from fees and local dollars. The issues discussed last fall relating to the data collection at MDOE indicated tremendous discrepancies with the financial reporting for adult education. The use of a single rather than duplicative forms should remedy this for FY11, as will more education of school bookkeepers in course coding. At the current time some of the enrollments recorded in "enrichment" are actually job-related programming.

Further research indicated that there were 5 programs (Freeport, Falmouth, Cumberland, Yarmouth and Cape Elizabeth) running only enrichment yet receiving subsidy for administration. This has since been disputed by the programs, and the actual number is might be 3 programs as Cumberland and Freeport seem to offer some core programs.

The statute revision in 2007 defined "core" for administrative subsidy purposes as only literacy, high school completion and college transition. At the time, this was poorly communicated to the field and the adult education programs' assumption was that since "Vocational" (sometimes called Career & Technical Ed or Business and Skill Training) was subsidized for instruction at 75% along with literacy, high school completion and college transition, it would logically be considered a "core" category.

Some changes in MDOE regulations are essential to clarify the regulations relating to subsidy in the future. However, in the current situation, if the programs in dispute are eligible for subsidy either through correcting reporting errors or ramping up their core offerings, the cut to subsidy for core programming would rise to an amount between \$380,000 and \$500,000. A spreadsheet is attached that was given to the Education Committee that shows enrollments in categories by all programs in FY09. We expect the FY10 figures for academic and vocational programming to be even higher.

We regret the confusion that has resulted from the duplicative MDOE reporting systems and recognize the need to educate decision makers about the importance of the enrichment programs in generating income to support the core programs for the vast majority of Maine Adult Education providers. Such programming is important in fostering a "learning atmosphere" in our communities.

We hope that our programs will be recognized as the multi-faceted, "lean but not mean" operations that they are. In all programs the administrative functions serve all aspects of the program to the benefit of our local school systems and our communities.

LV Maine Office Funding: The Commissioner's original proposal included a reduction of \$108,000 in the allocation for the administrative office of LV Maine (Literacy Volunteers). The Governor directed MDOE to restore this funding but to keep the overall revised budget for adult education as originally proposed. This resulted in shifting \$108,000 from state subsidy for local adult education programs to cover the LV Maine restoration. This increases the cut in direct services to adult learners for FY11 from \$207,000 to \$315,000. Our partnership with LV Maine is valuable but it should be noted that the restored money funds the LV Maine central office and does not include any direct service to learners.

GED - Reduced by \$30,000:

Options are being explored for sharing test batteries for testing at low-volume sites. However, because of the various requirements for the number of times a test battery may be used, this may not actually achieve much of a financial saving. Maine Adult Education will want to be sure that access is not affected for our rural areas, and that fees are not charged to those taking the tests. The entire budget for this program is \$75,000.

The GEDs awarded were up by 11% from FY08 to FY09 and are projected to be larger this year, especially in the over 20 age group. GED is a key building block for the Career Centers and for training. MDOE is making overtures to the Workforce Investment Board and may be able to secure some funds to help fill this gap, following a meeting scheduled for early February.

College Transitions – Reduced by \$50,000:

This program has been tremendously successful. **Enrollment is up 38% in 2009 over 2008 with a total of 1600 students rather than the projected 800 and over 4000 enrollments.** The results on matriculation are equally impressive. FAME recently gave the program a major award last fall and it is gaining national attention as a model. The cut will cut leadership and professional development by 50%, particularly the opportunities to bring post-secondary partners together with adult education and to increase the focus on Career Pathways. This program is quickly becoming a national model and it must not be allowed to wither given its ability to play a vital role for dislocated workers and to lead the way in combining Collège Transitions and Career Pathways.

Programs are offered in all 16 counties and in collaboration with all campuses and centers for the UMS and MCCS. The program was originally proposed to receive over \$1M per year by Governor Baldacci and to provide additional programs. Budget issues held it at the current level. The contract for leadership and professional development also provides professional development for adult education programs that do college preparation work as part of their regular adult education programs.

Bottom Line: Given the increased enrollment and the essential nature of the services provided to Maine people who are struggling in this economy, we would ask that the Subsidy for adult education programs and the support for College Transitions and GED testing be funded at the original FY11 levels.

LEA	FY09Subsidy#	Literacy**	High School Comp**	Adults with Disabilities**	Vocational**	College Transitions**	Enrichment**	Other**	Total	Percent Core*	% Core + Vocational
AUBURN SCHOOL DEPARTMENT	\$106,896.26	94	453	10	370	0	1142	363	2432	22.90%	38.12%
AUGUSTA SCHOOL DEPARTMENT	\$158,116.46	210	1524	0	346	182	854	0	3116	61.49%	72.59%
BANGOR SCHOOL DEPARTMENT	\$153,909.92	233	810	0	0	202	1239	0	2484	50.12%	50.12%
BATH SCHOOL DEPARTMENT	\$32,233.00	20	57	0	65	8	79	0	229	37.12%	65.50%
BIDDEFORD SCHOOL DEPARTMENT	\$173,490.76	334	359	17	311	99	655	218	1993	40.59%	56.20%
BRUNSWICK SCHOOL DEPARTMENT	\$34,491.88	0	0	0	0	0	0	0	0	—	—
BUCKSPORT SCHOOL DEPARTMENT	\$56,067.70	384	149	0	305	73	869	114	1894	32.00%	48.10%
CAPE ELIZABETH SCHOOL DEPARTMENT	\$32,936.26	4	0	0	0	0	2629	0	2633	0.15%	0.15%
CARIBOU SCHOOL DEPARTMENT	\$34,239.33	38	170	8	53	81	309	0	659	45.07%	53.11%
CSD #10 - READFIELD	\$35,246.23	3	48	0	95	35	1291	0	1472	5.84%	12.30%
CSD #13 - DEER ISLE	\$9,383.21	2	19	0	11	0	68	46	146	14.38%	21.92%
CSD #17 - JONESPORT	\$112.27	0	0	0	0	0	31	0	31	0.00%	0.00%
CSD #18 - WELLS-OGUNQUIT	\$76,816.18	129	86	0	92	21	1248	153	1729	13.65%	18.97%
CSD #19 - CAMDEN	\$74,353.70	19	197	0	672	2	1491	0	2381	9.16%	37.38%
CSD #3 - BOOTHBAY	\$25,773.26	0	11	0	148	0	508	19	686	1.60%	23.18%
CSD #4 - SULLIVAN	\$79,635.29	3	38	0	283	48	311	0	683	13.03%	54.47%
CSD #7 - MT DESERT	\$18,112.88	61	24	1	331	12	618	0	1047	9.36%	40.97%
CSD #9 - ISLAND FALLS	\$4,998.06	0	22	0	79	15	83	51	250	14.80%	46.40%
ELLSWORTH SCHOOL DEPARTMENT	\$73,172.47	74	299	5	345	24	790	0	1537	26.15%	48.60%
FALMOUTH SCHOOL DEPARTMENT	\$60,049.61	0	0	0	310	0	2358	1203	3871	0.00%	8.01%
FREEPORT SCHOOL DEPARTMENT	\$49,589.95	70	32	0	26	0	980	0	1108	9.21%	11.55%
GORHAM SCHOOL DEPARTMENT	\$97,485.52	82	48	2	225	1	1127	13	1498	8.88%	23.90%
GRAND ISLE SCHOOL DEPARTMENT	\$1,256.10	0	0	0	0	0	0	0	—	—	—
HERMON SCHOOL DEPARTMENT	\$2,718.63	0	22	0	0	0	152	0	174	12.64%	12.64%
ISLESBORO SCHOOL DEPARTMENT	\$802.76	0	1	0	0	0	74	0	75	1.33%	1.33%
KITTERY SCHOOL DEPARTMENT	\$33,231.10	34	99	2	110	19	1318	0	1582	9.73%	16.69%
LEWISTON SCHOOL DEPARTMENT	\$222,246.31	2437	534	0	736	398	1498	18	5621	59.94%	73.03%
LISBON SCHOOL DEPARTMENT	\$45,739.23	18	312	0	177	17	647	12	1183	29.33%	44.29%
MADAWASKA SCHOOL DEPARTMENT	\$29,571.06	132	19	0	215	85	361	26	838	28.16%	53.82%
MILLINOCKET SCHOOL DEPARTMENT	\$5,574.52	1	85	0	1	92	511	0	690	25.80%	25.94%
MONMOUTH SCHOOL DEPARTMENT	\$8,922.99	0	13	0	0	0	0	0	13	100.00%	100.00%
MSAD #1 - PRESQUE ISLE	\$81,751.73	184	85	0	181	25	437	0	912	32.24%	52.08%
MSAD #11 - GARDINER	\$58,308.61	72	215	13	209	147	1085	0	1741	25.67%	37.68%
MSAD #12 - JACKMAN	\$4,614.82	0	2	0	0	10	119	0	131	9.16%	9.16%
MSAD #13 - BINGHAM	\$4,089.32	0	0	0	14	1	61	0	76	1.32%	19.74%
MSAD #15 - GRAY	\$32,948.41	15	78	0	212	0	601	0	906	10.26%	33.66%
MSAD #16 - HALLOWELL	\$17,036.94	12	8	0	39	0	92	0	151	13.25%	39.07%
MSAD #17 - OXFORD HILLS	\$115,968.33	74	664	0	85	82	406	0	1311	62.55%	69.03%
MSAD #19 - LUBEC	\$5,397.94	3	6	0	0	0	53	0	62	14.52%	14.52%
MSAD #22 - HAMPDEN	\$9,466.66	0	0	0	0	0	361	0	361	0.00%	0.00%
MSAD #24 - VAN BUREN	\$14,065.71	22	30	2	36	32	202	33	357	24.09%	34.17%
MSAD #25 - SHERMAN STATION	\$6,482.17	0	16	0	0	0	174	31	221	7.24%	7.24%

LEA	FY09Subsidy#	Literacy**	High School Comp**	Adults with Disabilities**	Vocational**	College Transitions**	Enrichment**	Other**	Total	Percent Core*	% Core + Vocational
MSAD #27 - FORT KENT	\$86,397.14	340	88	0	3023	35	334	0	3820	12.12%	91.26%
MSAD #29 - HOULTON	\$42,214.07	95	303	0	358	103	323	220	1402	35.73%	61.27%
MSAD #3 - UNITY	\$23,498.16	20	52	0	19	0	127	0	218	33.03%	41.74%
MSAD #31 - HOWLAND	\$7,996.44	0	6	0	12	0	166	0	184	3.26%	9.78%
MSAD #33 - FRENCHVILLE	\$6,770.83	0	0	0	0	0	0	0	--	--	--
MSAD #34 - BELFAST	\$57,871.73	162	168	0	0	151	514	60	1055	45.59%	45.59%
MSAD #35 - ELIOT	\$43,445.00	35	143	0	97	27	1248	35	1585	12.93%	19.05%
MSAD #36 - LIVERMORE FALLS	\$65,316.48	107	222	3	5	8	46	290	681	49.93%	50.66%
MSAD #37 - HARRINGTON	\$7,144.07	0	45	0	0	0	125	0	170	26.47%	26.47%
MSAD #39 - BUCKFIELD	\$17,062.64	0	32	0	5	0	83	0	120	26.67%	30.83%
MSAD #40 - WALDOBORO	\$30,393.98	34	48	0	81	42	666	164	1035	11.98%	19.81%
MSAD #44 - BETHEL	\$62,612.39	5	432	3	102	5	1001	149	1697	26.22%	32.23%
MSAD #46 - DEXTER	\$30,602.25	203	95	0	36	0	199	0	533	55.91%	62.66%
MSAD #47 - OAKLAND	\$23,485.83	0	85	0	0	0	366	0	451	18.85%	18.85%
MSAD #48 - NEWPORT	\$30,065.83	0	437	22	219	131	55	204	1068	55.24%	75.75%
MSAD #49 - FAIRFIELD	\$78,792.41	43	491	0	121	265	440	61	1421	56.23%	64.74%
MSAD #5 - ROCKLAND	\$32,771.72	111	117	0	125	33	154	3216	3756	6.95%	10.28%
MSAD #51 - CUMBERLAND	\$14,676.73	0	17	0	383	15	1251	0	1666	1.92%	24.91%
MSAD #52 - TURNER	\$65,888.04	72	292	0	0	0	389	195	948	38.40%	38.40%
MSAD #53 - PITTSFIELD	\$13,108.56	3	37	0	70	0	85	64	259	15.44%	42.47%
MSAD #54 - SKOWHEGAN	\$69,940.47	252	114	19	124	84	382	247	1222	38.38%	48.53%
MSAD #55 - HIRAM	\$31,650.58	197	105	0	121	2	121	44	590	51.53%	72.03%
MSAD #56 - SEARSPORT	\$24,255.01	5	19	0	0	4	62	0	90	31.11%	31.11%
MSAD #57 - WATERBORO	\$102,807.31	352	657	0	275	11	766	117	2178	46.83%	59.46%
MSAD #58 - KINGFIELD	\$13,951.21	0	11	0	6	31	82	40	170	24.71%	28.24%
MSAD #59 - MADISON	\$10,207.40	0	0	24	55	0	183	0	262	9.16%	30.15%
MSAD #6 - BAR MILLS	\$64,498.24	77	137	0	177	82	970	0	1443	20.51%	32.78%
MSAD #60 - NORTH BERWICK	\$80,862.07	61	322	0	173	46	1514	0	2116	20.27%	28.45%
MSAD #61 - BRIDGTON	\$137,677.51	144	604	0	980	95	398	24	2245	37.55%	81.20%
MSAD #64 - CORINTH	\$699.69	0	0	0	0	0	218	0	218	0.00%	0.00%
MSAD #67 - LINCOLN	\$17,355.31	3	79	0	0	0	407	101	590	13.90%	13.90%
MSAD #68 - DOVER	\$58,489.10	341	220	0	124	61	439	0	1185	52.49%	62.95%
MSAD #70 - HODGDON	\$5,453.15	27	0	0	20	0	7	0	54	50.00%	87.04%
MSAD #71 - KENNEBUNK	\$23,549.82	1	28	0	47	0	428	0	504	5.75%	15.08%
MSAD #74 - ANSON	\$4,750.15	0	19	0	440	0	101	0	560	3.39%	81.96%
MSAD #75 - TOPSHAM	\$69,005.77	150	306	0	175	228	1721	0	2580	26.51%	33.29%
MSAD #9 - FARMINGTON	\$52,188.02	70	82	14	187	27	1175	0	1555	12.41%	24.44%
OLD ORCHARD BEACH	\$42,170.25	45	191	0	107	79	470	58	950	33.16%	44.42%
OLD TOWN SCHOOL DEPARTMENT	\$15,857.05	36	136	0	1	0	77	0	250	68.80%	69.20%
PORTLAND PUBLIC SCHOOLS	\$433,513.17	3200	385	0	1748	0	3167	0	8500	42.18%	62.74%
RICHMOND SCHOOL DEPARTMENT	\$20,937.74	28	74	0	47	0	363	0	512	19.92%	29.10%
SANFORD SCHOOL DEPARTMENT	\$162,964.55	166	573	0	447	53	1321	0	2560	30.94%	48.40%

LEA	FY09Subsidy#	Literacy**	High School Comp**	Adults with Disabilities**	Vocational**	College Transitions**	Enrichment**	Other**	Total	Percent Core*	% Core + Vocational
SCARBOROUGH SCHOOL DEPARTMENT	\$16,468.23	0	113	0	6	0	190	10	319	35.42%	37.30%
UNION #102 - MACHIAS	\$31,547.52	93	63	0	0	37	3	0	196	98.47%	98.47%
UNION #106 - CALAIS	\$2,540.86	0	4	0	0	0	48	0	52	7.69%	7.69%
UNION #113 - EAST MILLINOCKET	\$4,743.02	1	56	0	25	0	300	0	382	14.92%	21.47%
UNION #132 - WHITEFIELD	\$28,635.19	11	18	0	40	4	234	0	307	10.75%	23.78%
UNION #29 - MECHANIC FALLS	\$31,234.94	114	61	0	21	15	166	0	377	50.40%	55.97%
UNION #37 - RANGELEY	\$2,847.22	0	2	0	6	0	16	0	24	8.33%	33.33%
UNION #44 - SASATTUS	\$28,201.58	0	106	0	52	0	97	0	255	41.57%	61.96%
UNION #52 - WINSLOW	\$10,732.54	0	15	0	0	0	199	0	214	7.01%	7.01%
UNION #60 - GREENVILLE	\$7,252.85	181	6	0	40	0	252	11	490	38.16%	46.33%
UNION #7 - SACO	\$42,170.25	0	0	0	0	0	0	0	-	-	-
UNION #74 - DAMARISCOTTA	\$12,478.77	5	19	0	40	12	612	0	688	5.23%	11.05%
UNION #87 - ORONO	\$24,952.28	21	102	0	11	0	228	500	862	14.27%	15.55%
VOCATIONAL REGION 10 - BRUNSWICK	\$16,083.47	0	0	116	116	0	265	0	497	23.34%	46.68%
VOCATIONAL REGION 11 - SOUTH PARIS	\$9,327.21	0	0	0	238	0	0	0	238	0.00%	100.00%
VOCATIONAL REGION 2 - HOULTON	\$9,913.26	0	0	0	355	0	0	0	355	0.00%	100.00%
VOCATIONAL REGION 3 - NORTHERN PENOBSCOT	\$20,800.58	0	0	0	230	23	0	0	253	9.09%	100.00%
VOCATIONAL REGION 4 - UTC	\$27,181.59	0	0	0	502	0	0	0	502	0.00%	100.00%
VOCATIONAL REGION 8 - ROCKLAND	\$24,168.73	13	13	0	381	0	19	65	491	5.30%	82.89%
VOCATIONAL REGION 9 - MEXICO	\$85,414.89	120	70	16	85	38	143	0	472	51.69%	69.70%
WATERVILLE SCHOOL DEPARTMENT	\$84,372.75	29	422	66	144	145	1165	0	1971	33.59%	40.89%
WESTBROOK SCHOOL DEPARTMENT	\$54,900.54	0	144	0	130	0	274	0	548	26.28%	50.00%
WINDHAM SCHOOL DEPARTMENT	\$105,546.03	276	94	0	447	200	1447	0	2464	23.13%	41.27%
WINTHROP SCHOOL DEPARTMENT	\$20,636.98	2	25	7	0	4	288	0	326	11.66%	11.66%
WISCASSET SCHOOL DEPARTMENT	\$35,084.62	81	468	0	254	32	685	0	1520	38.22%	54.93%
YARMOUTH SCHOOL DEPARTMENT	\$27,678.41	0	0	22	22	0	620	395	1059	2.08%	4.15%
YORK SCHOOL DEPARTMENT	\$50,704.22	24	23	0	270	0	1522	0	1839	2.56%	17.24%
Totals		12120	15531	372	19407	3839	57549	8570	118548	26.88%	43.25%

* For purposes of eligibility to receive subsidy on administrative expenditures, Title 20A Section 8607A defines the required "Core Services" as Literacy, High School Completion, and College Transitions. Some programs contract or collaborate with other adult education programs for providing core services. In those cases the enrollment data is reported by the program actually providing the services/classes (e.g. Jonesport [Machias], Hampden [Bangor & Orono], and several Vocational Regions [the local adult education program]).

"-" Enrollment reported as part of regional program (Grand Isle and MSAD 33 reported with Madawaska; Brunswick reported with Topsham; and Saco reported with OOB)

** Enrollment data as reported on the FY2008 EF-X-132 "Request for Subsidy - Year-end Report"

FY2009 Adult Education Subsidy is calculated using the expenditure data reported on the FY2007 EF-X-132 "Request for Subsidy - Year-end Report" (Most current and complete expenditure data available at the time this spreadsheet was originally prepared).

Note: The FY2011 Adult Education Subsidy will be the first subsidy distributed using the amended Section 8607A criteria requiring core services.

**Report of the
Joint Standing Committee on Education
& Cultural Affairs**

to the

**Joint Standing Committee on
Appropriations & Financial Affairs**

on

Education & Cultural Affairs Initiatives

included in

**LD 1671, the Governor's Supplemental
Budget Bill for the 2010-2011 Biennium**

Thursday, January 28, 2010

Tabled
④ EDU Cmte requests additional time
to review Part E

1 Be it enacted by the People of the State of Maine as follows:

2 PART E

3 Sec. E-1. 20-A MRSA §1305-A, as amended by PL 2005, c. 12, Pt. WW, §1 and
4 c. 683, Pt. A, §21, is repealed.

5 Sec. E-2. 20-A MRSA §1305-B, as amended by PL 2005, c. 683, Pt. A, §22, is
6 repealed.

7 Sec. E-3. 20-A MRSA §1701, sub-§11, ¶B, as amended by PL 1999, c. 710, §9,
8 is further amended to read:

9 B. Unless authorized by the voters or ~~except as provided in section 1701-A,~~
10 ~~subsection 5,~~ the district school committee may not transfer funds between line item
11 categories.

12 Sec. E-4. 20-A MRSA §1701-A, as amended by PL 2005, c. 12, Pt. WW, §2, is
13 repealed.

14 Sec. E-5. 20-A MRSA §1701-B, as amended by PL 2005, c. 2, Pt. D, §14 and
15 affected by §§72 and 74 and c. 12, Pt. WW, §18, is repealed.

16 Sec. E-6. 20-A MRSA §5805, sub-§1, ¶D, as enacted by PL 1981, c. 693, §§5
17 and 8, is amended to read:

18 D. The tuition rate thus determined ~~shall~~ must be adjusted by the average change in
19 public secondary education costs for the 2 years immediately before the school year
20 for which the tuition charge is computed. This adjustment ~~shall be~~ is limited to a 6%
21 increase. Beginning in school year 2010-2011, this adjustment is limited to an
22 increase no greater than in the most recent year's Consumer Price Index or other
23 comparable index.

24 Sec. E-7. 20-A MRSA §5806, sub-§2, as amended by PL 2009, c. 213, Pt. C, §2,
25 is further amended to read:

26 2. **Maximum allowable tuition.** The maximum allowable tuition charged to a
27 school administrative unit by a private school is the rate established under subsection 1 or
28 the state average per public secondary student cost as adjusted, whichever is lower, plus
29 an insured value factor. For school year 2009-2010 only, the maximum allowable tuition
30 rate, prior to the addition of the insured value factor, must be reduced by 2%; the insured
31 value factor must be based on this reduced rate. The insured value factor is computed by
32 dividing 5% of the insured value of school buildings and equipment by the average
33 number of pupils enrolled in the school on October 1st and April 1st of the year
34 immediately before the school year for which the tuition charge is computed. For the
35 ~~2008-09~~ 2008-2009 school year only, a school administrative unit is not required to pay
36 an insured value factor greater than 5% of the school's tuition rate per student, unless the
37 legislative body of the school administrative unit votes to authorize its school board to
38 pay a higher insured value factor that is no greater than 10% of the school's tuition rate

EDUCATION, DEPARTMENT OF

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	\$0	\$0	\$0
FEDERAL EXPENDITURES FUND	\$0	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

1 per student. Beginning in school year 2009-10, a school administrative unit is not
2 required to pay an insured value factor greater than 5% of the school's tuition rate or \$500
3 per student, whichever is less, unless the legislative body of the school administrative unit
4 votes to authorize its school board to pay a higher insured value factor that is no greater
5 than 10% of the school's tuition rate per student.

6 **Sec. E-8. 20-A MRSA §6051, sub-§1, ¶E**, as amended by PL 2005, c. 683, Pt.
7 A, §24, is further amended to read:

8 E. A determination as to whether the school administrative unit has complied with
9 applicable provisions of the Essential Programs and Services Funding Act; and

10 **Sec. E-9. 20-A MRSA §6051, sub-§1, ¶F**, as enacted by PL 1985, c. 797, §36,
11 is amended to read:

12 F. Any other information ~~which~~ that the commissioner may require;

13 **Sec. E-10. 20-A MRSA §6051, sub-§1, ¶G** is enacted to read:

14 G. A determination of whether the school administrative unit has complied with
15 transfer limitations between budget cost center lines pursuant to section 1485,
16 subsection 4;

17 **Sec. E-11. 20-A MRSA §6051, sub-§1, ¶H** is enacted to read:

18 H. A determination of whether the school administrative unit has complied with
19 budget content requirements pursuant to section 15693, subsection 1 and cost center
20 summary budget format requirements pursuant to sections 1305-C, 1485, 1701-C and
21 2307; and

22 **Sec. E-12. 20-A MRSA §6051, sub-§1, ¶I** is enacted to read:

23 I. A determination of whether the school administrative unit has exceeded its
24 authority to expend funds, as provided by the total budget summary article.

25 **Sec. E-13. 20-A MRSA §6051, sub-§7** is enacted to read:

26 7. Exception. If a municipal school administrative unit meets all of the following
27 eligibility criteria, then the municipal school administrative unit may file the annual
28 municipal audit or audits in lieu of the annual audit required by this section:

29 A. The municipal school administrative unit does not operate a school or schools;

30 B. A school administrative unit audit is not necessary to meet federal audit
31 requirements;

32 C. The municipal school administrative unit files the municipal audit or audits that
33 include the fiscal year specified in subsection 2; and

34 D. The municipal school administrative unit is not a member of a school
35 administrative district, community school district, regional school unit or alternative
36 organizational structure.

1 **Sec. E-14. 20-A MRSA §6051, sub-§8** is enacted to read:

2 **8. Corrective action plan.** The commissioner shall review the audits of the school
3 administrative unit and determine if the school administrative unit should develop a
4 corrective action plan for any audit issues specified in the annual audit. The corrective
5 action plan must address those audit findings and management comments and
6 recommendations that have been identified by the commissioner, and the plan must be
7 filed within the timelines established by the commissioner. The school administrative
8 unit shall provide assurances to the commissioner that the school administrative unit has
9 implemented the plan and its corrective action within the timelines established by the
10 commissioner. If the school administrative unit has not met the conditions for submitting
11 a corrective action plan or providing assurances that the school administrative unit has
12 implemented the plan, the commissioner may withhold monthly subsidy payments from a
13 school administrative unit in accordance with section 6801-A.

14 **Sec. E-15. 20-A MRSA §15005, sub-§3**, as enacted by PL 1981, c. 693, §§5 and
15 8, is amended to read:

16 **3. Return required.** An apportionment provided in this chapter, chapters 109, ~~205,~~
17 505 and ~~605~~ 606-B, and section 13601, and Title 20, section 3457, may not be paid to a
18 school administrative unit by the Treasurer of State until returns required by law have
19 been filed with the commissioner.

20 **Sec. E-16. 20-A MRSA §15671, sub-§7, ¶A**, as amended by PL 2009, c. 213,
21 Pt. C, §3, is further amended to read:

22 A. The base total calculated pursuant to section 15683, subsection 2 is subject to the
23 following annual targets.

- 24 (1) For fiscal year 2005-06, the target is 84%.
- 25 (2) For fiscal year 2006-07, the target is 90%.
- 26 (3) For fiscal year 2007-08, the target is 95%.
- 27 (4) For fiscal year 2008-09, the target is 97%.
- 28 (5) For fiscal year 2009-10, the target is 97%.
- 29 (6) For fiscal year 2010-11 and succeeding years, the target is ~~100%~~ 97%.
- 30 (7) For fiscal year 2011-12 and succeeding years, the target is 100%.

31 **Sec. E-17. 20-A MRSA §15671, sub-§7, ¶B**, as amended by PL 2009, c. 1, Pt.
32 C, §1 and c. 213, Pt. C, §4, is repealed and the following enacted in its place:

33 **B.** The annual targets for the state share percentage of the statewide adjusted total
34 cost of the components of essential programs and services are as follows.

- 35 (1) For fiscal year 2005-06, the target is 52.6%.
- 36 (2) For fiscal year 2006-07, the target is 53.86%.
- 37 (3) For fiscal year 2007-08, the target is 53.51%.

- 1 (4) For fiscal year 2008-09, the target is 52.52%.
2 (5) For fiscal year 2009-10, the target is 48.93%.
3 (6) For fiscal year 2010-11, the target is 44.67%.
4 (7) For fiscal year 2011-12 and succeeding years, the target is 55%.

5 **Sec. E-18. 20-A MRSA §15671-A, sub-§2, ¶B**, as amended by PL 2009, c. 213,
6 Pt. C, §5, is further amended to read:

7 B. For property tax years beginning on or after April 1, 2005, the commissioner shall
8 calculate the full-value education mill rate that is required to raise the statewide total
9 local share. The full-value education mill rate is calculated for each fiscal year by
10 dividing the applicable statewide total local share by the applicable statewide
11 valuation. The full-value education mill rate must decline over the period from fiscal
12 year 2005-06 to fiscal year 2008-09 and may not exceed 9.0 mills in fiscal year 2005-
13 06 and may not exceed 8.0 mills in fiscal year 2008-09. The full-value education mill
14 rate must be applied according to section 15688, subsection 3-A, paragraph A to
15 determine a municipality's local cost share expectation. Full-value education mill
16 rates must be derived according to the following schedule.

17 (1) For the 2005 property tax year, the full-value education mill rate is the
18 amount necessary to result in a 47.4% statewide total local share in fiscal year
19 2005-06.

20 (2) For the 2006 property tax year, the full-value education mill rate is the
21 amount necessary to result in a 46.14% statewide total local share in fiscal year
22 2006-07.

23 (3) For the 2007 property tax year, the full-value education mill rate is the
24 amount necessary to result in a 45.56% statewide total local share in fiscal year
25 2007-08.

26 (4) For the 2008 property tax year, the full-value education mill rate is the
27 amount necessary to result in a 45.99% statewide total local share in fiscal year
28 2008-09.

29 (4-A) For the 2009 property tax year, the full-value education mill rate is the
30 amount necessary to result in a ~~49.05%~~ 51.07% statewide total local share in
31 fiscal year 2009-10.

32 (4-B) For the 2010 property tax year ~~and subsequent tax years~~, the full-value
33 education mill rate is the amount necessary to result in a ~~45.0%~~ 55.33% statewide
34 total local share in fiscal year 2010-11 ~~and after~~.

35 (4-C) For the 2011 property tax year and subsequent tax years, the full-value
36 education mill rate is the amount necessary to result in a 45.0% statewide total
37 local share in fiscal year 2011-12 and after.

38 **Sec. E-19. 20-A MRSA §15689, sub-§1, ¶A**, as repealed and replaced by PL
39 2005, c. 2, Pt. D, §58 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is amended to
40 read:

1 A. The sum of the following calculations:

2 (1) Multiplying 5% of each school administrative unit's essential programs and
3 services per-pupil elementary rate by the average number of resident kindergarten
4 to grade 8 pupils as determined under section 15674, subsection 1, paragraph C,
5 subparagraph (1); and

6 (2) Multiplying 5% of each school administrative unit's essential programs and
7 services per-pupil secondary rate by the average number of resident grade 9 to
8 grade 12 pupils as determined under section 15674, subsection 1, paragraph C,
9 subparagraph (1); and

10 The 5% factor in subparagraphs (1) and (2) must be replaced by: 4% for the 2009-10
11 funding year including funds provided under Title XIV of the State Fiscal
12 Stabilization Fund of the federal American Recovery and Reinvestment Act of 2009;
13 3% for the 2010-11 funding year including funds provided under Title XIV of the
14 State Fiscal Stabilization Fund of the federal American Recovery and Reinvestment
15 Act of 2009; and 3% for the 2011-12 funding year and subsequent years; and

16 **Sec. E-20. 20-A M RSA §15689, sub-§1, ¶B**, as amended by PL 2009, c. 1, Pt.
17 C, §2 and c. 213, Pt. C, §8, is repealed and the following enacted in its place:

18 B. The school administrative unit's special education costs as calculated pursuant to
19 section 15681-A, subsection 2 multiplied by the following transition percentages:

20 (1) In fiscal year 2005-06, 84%;

21 (2) In fiscal year 2006-07, 84%;

22 (3) In fiscal year 2007-08, 84%;

23 (4) In fiscal year 2008-09, 45%;

24 (5) In fiscal year 2009-10, 40% including funds provided under Title XIV of the
25 State Fiscal Stabilization Fund of the federal American Recovery and
26 Reinvestment Act of 2009;

27 (6) In fiscal year 2010-11, 30% including funds provided under Title XIV of the
28 State Fiscal Stabilization Fund of the federal American Recovery and
29 Reinvestment Act of 2009; and

30 (7) In fiscal year 2011-12 and succeeding years, 30%.

31 **Sec. E-21. 20-A M RSA §15690, sub-§2**, as amended by PL 2005, c. 12, Pt.
32 WW, §6 and affected by §18, is further amended to read:

33 **2. Non-state-funded debt service.** For a school administrative unit's indebtedness
34 previously approved by its legislative body for non-state-funded major capital school
35 construction projects or non-state-funded portions of major capital school construction
36 projects and ~~minor capital projects~~, the legislative body of each school administrative unit
37 may vote to raise and appropriate an amount up to the municipality's or district's annual
38 payments for non-state-funded debt service.

1 A. An article in substantially the following form must be used when a school
2 administrative unit is considering the appropriation for debt service allocation for
3 non-state-funded school construction projects or non-state-funded portions of school
4 construction projects ~~and minor capital projects~~.

5 (1) "Article: To see what sum the (municipality or district) will raise and
6 appropriate for the annual payments on debt service previously approved by the
7 legislative body for non-state-funded school construction projects, or non-state-
8 funded portions of school construction projects ~~and minor capital projects~~ in
9 addition to the funds appropriated as the local share of the school administrative
10 unit's contribution to the total cost of funding public education from kindergarten
11 to grade 12. (Recommend \$.....)"

12 (2) The following statement must accompany the article in subparagraph (1).
13 "Explanation: Non-state-funded debt service is the amount of money needed for
14 the annual payments on the (municipality's or district's) long-term debt for major
15 capital school construction projects ~~and minor capital renovation projects~~ that are
16 not approved for state subsidy. The bonding of this long-term debt was
17 previously approved by the voters or other legislative body."

18 **Sec. E-22. PL 2009, c. 213, Pt. C, §17** is amended to read:

19 **Sec. C-17. Mill expectation.** The mill expectation pursuant to the Maine Revised
20 Statutes, Title 20-A, section 15671-A for fiscal year 2009-10 is ~~6.73~~ 6.99 and must be
21 lowered to ~~6.37~~ 6.69 as a result of funds provided under Title XIV of the State Fiscal
22 Stabilization Fund of the federal American Recovery and Reinvestment Act of 2009 as
23 part of the amount restored to school administrative units in fiscal year 2009-10.

24 **Sec. E-23. PL 2009, c. 213, Pt. C, §19** is amended to read:

25 **Sec. C-19. Local and state contributions to total cost of funding public**
26 **education from kindergarten to grade 12.** The local contribution and the state
27 contribution appropriation provided for general purpose aid for local schools for the fiscal
28 year beginning July 1, 2009 and ending June 30, 2010 is calculated as follows:

29

	2009-10 LOCAL	2009-10 STATE
1		
2		
3	Local and State Contributions to the Total	
4	Cost of Funding Public Education from	
5	Kindergarten to Grade 12	
6		
7	Local and state contributions to the total	\$923,174,744
8	cost of funding public education from	\$958,971,492
9	kindergarten to grade 12 pursuant to the	<u>\$961,272,967</u>
10	Maine Revised Statutes, Title 20-A,	<u>\$920,873,269</u>
11	section 15683	
12		
13	Portion to be paid from Federal IDEA	(\$11,600,000)
14	balance	
15		
16	<u>Adjusted state contribution - subject to</u>	<u>\$947,371,492</u>
17	<u>statewide distributions required by law</u>	<u>\$909,273,269</u>

18 **Sec. E-24. Waiver; required local contribution.** For fiscal year 2009-10
19 general purpose aid for local schools funding only, for those school administrative units
20 that do not raise the increased required local contribution pursuant to the Maine Revised
21 Statutes, Title 20-A, section 15690, subsection 1 that results from increasing the mill
22 expectation from 6.37 to 6.69, there is no proportional reduction to the state share
23 pursuant to Title 20-A, section 15690, subsection 1, paragraph C.

24 **Sec. E-25. Mill expectation.** The mill expectation pursuant to the Maine Revised
25 Statutes, Title 20-A, section 15671-A for fiscal year 2010-11 is 7.66 and must be lowered
26 to 7.14 as a result of funds provided under Title XIV of the State Fiscal Stabilization
27 Fund of the federal American Recovery and Reinvestment Act of 2009 as part of the
28 amount restored to school administrative units in fiscal year 2010-11.

29 **Sec. E-26. Total cost of funding public education from kindergarten to**
30 **grade 12.** The total cost of funding public education from kindergarten to grade 12 for
31 fiscal year 2010-11 is as follows:

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2010-11
TOTAL

Total Operating Allocation

Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 without transitions percentage \$1,376,791,408

Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 with 97% transitions percentage \$1,335,487,666

Total other subsidizable costs pursuant to the Maine Revised Statutes, Title 20-A, section 15681-A \$399,145,292

Total Operating Allocation

Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 and total other subsidizable costs pursuant to Title 20-A, section 15681-A \$1,734,632,958

Total Debt Service Allocation

Total debt service allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683-A \$99,049,370

Total Adjustments and Miscellaneous Costs

1 Total adjustments and miscellaneous costs pursuant to \$74,207,874
 2 the Maine Revised Statutes, Title 20-A, sections 15689
 3 and 15689-A.

4
 5 **Total Cost of Funding Public Education from**
 6 **Kindergarten to Grade 12**

7
 8 Total cost of funding public education from \$1,907,890,202
 9 kindergarten to grade 12 for fiscal year 2010-11
 10 pursuant to the Maine Revised Statutes, Title 20-A,
 11 chapter 606-B

12 **Sec. E-27. Local and state contributions to total cost of funding public**
 13 **education from kindergarten to grade 12.** The local contribution and the state
 14 contribution appropriation provided for general purpose aid for local schools for the fiscal
 15 year beginning July 1, 2010 and ending June 30, 2011 is calculated as follows:

	2010-11	2010-11
	LOCAL	STATE
16		
17		
18	Local and State Contributions to the Total	
19	Cost of Funding Public Education from	
20	Kindergarten to Grade 12	
21		
22	Local and state contributions to the total	\$1,055,635,712
23	cost of funding public education from	\$852,254,490
24	kindergarten to grade 12 pursuant to the	
25	Maine Revised Statutes, Title 20-A,	
26	section 15683 - subject to statewide	
27	distributions required by law	

28 **Sec. E-28. Limit of State's obligation.** If the State's continued obligation for
 29 any individual component contained in sections 26 and 27 of this Part exceeds the level
 30 of funding provided for that component, any unexpended balances occurring in other
 31 programs may be applied to avoid proration of payments for any individual component.
 32 Any unexpended balances from this Part may not lapse but must be carried forward for
 33 the same purpose.

34 **Sec. E-29. Authorization of payments.** Sections 26 and 27 of this Part may not
 35 be construed to require the State to provide payments that exceed the appropriation of
 36 funds for general purpose aid for local schools for the fiscal year beginning July 1, 2010
 37 and ending June 30, 2011.

38

Revised

JOINT STANDING COMMITTEE ON EDUCATION & CULTURAL AFFAIRS
 Summary of Recommendations to Appropriations Committee – January 29, 2010
 LD 1671 Governor’s Supplemental Budget Bill for FY2010 & FY2011 Biennium

Part	Initiative / Discussion	Vote
<p>K-12 Education <i>Part A Adjustments</i> <i>Part QQ Language</i></p> <p><i>Part E Language</i></p> <p><i>Part A Adjustments</i> <i>Part U Language</i> <i>Part V Language</i></p> <p><i>Part A Adjustment</i></p>	<p>The Education & Cultural Affairs Committee unanimously supports “Ought to Pass” motions on all the Part A initiatives related to K-12 education, (except for the initiatives below), and the Part QQ language:</p> <ul style="list-style-type: none"> • General Purpose Aid for Local Schools (“GPA”). We request additional time to review the implications of proposed adjustments, including further review of: (1) the impact of the \$35,123,138 curtailment to the GPA program for local school units in FY 2010-11; (2) the reorganization of the Director of Planning and Management Information position; and (3) the implications of proposed changes to State MaineCare rules on Medicaid funding for public school students. • Child Development Service System (“CDS”). We request additional time to review the fiscal and operational implications of the Governor’s proposals for the CDS System, including: (1) the General Fund reduction of \$1,290,000 in FY 2010-11; (2) the proposed Part A adjustments related to positions within the CDS System, and (3) the proposed language changes in Part U (pertaining to the time limit for filing special education complaints) and Part V (pertaining to parental choice for 5 year olds in the CDS system). • Adult Education. While the majority (8) support the reduction in Adult Education funding, all members regret this decrease in state subsidy during a time when many Maine citizens desperately need these core programs to prepare for further education and occupational training in these turbulent economic times. Should additional State General Funds become available, we recommend that \$315,000 in state subsidy be restored for core programs at local adult education programs. 	<p><u>Motions:</u> Ought to Pass <u>Votes:</u> Unanimous votes</p> <p>Tabled</p> <p>Tabled</p> <p><u>Motion:</u> Ought to Pass <u>Vote:</u> 8-2</p>

Part	Initiative/Discussion	Vote
<p>Higher Education <i>Part A Adjustments to Baseline Budgets Part PP Language</i></p> <p><i>Part A Adjustments</i></p>	<p>Student Financial Aid. The Education & Cultural Affairs Committee unanimously supports "Ought to Pass" motions on the Part A initiatives related to the student financial aid programs at the Finance Authority of Maine, the increased allocation of Other Special Revenues that provide student financial aid for the Maine Community College System and the University of Maine System, and the Part PP language to correct the disbursement of bond proceeds to the University of Maine System.</p> <p>Public Higher Education Institutions. A majority (7) of the Education & Cultural Affairs Committee recommends "Ought Not to Pass" on the Governor's proposals to reduce funding for the Maine Community College System, the University of Maine System and the Maine Maritime Academy. A minority (5) of the Education & Cultural Affairs Committee reluctantly recommends "Ought to Pass" on these proposed funding reductions.</p> <ul style="list-style-type: none"> • Majority report. The number one priority of a majority (7) of the Education & Cultural Affairs Committee is to maintain General Fund support for our higher education institutions. Public investment is critical and the Legislature must find sufficient funds to restore the FY 2010 and FY 2011 baseline budget amounts. We request that funding be restored from any available unanticipated General Fund revenues and from the transfer of funds from the Fund for a Healthy Maine. • Minority report A. While recognizing the critical role that public higher education plays in workforce preparation and economic development, 4 members reluctantly accept these reductions and recommend that the Legislature continue to work with public higher education officials to find more efficiencies in their programs and operations that align with the needs of Maine people and the State. • Minority report B. One member recommends maintaining the current budgeted mounts for the Maine Community College System; and accepting the reductions for the University of Maine System and the Maine Maritime Academy. 	<p><u>Motion:</u> Ought to Pass <u>Votes:</u> Unanimous votes</p> <p><u>Motion:</u> Ought Not to Pass <u>Vote:</u> 7-5</p> <p>7 Members</p> <p>4 Members</p> <p>1 Member</p>

Part	Initiative/ Discussion	Vote
<p>Cultural Affairs Agencies <i>Part A Adjustments</i></p> <p><i>Part P Language</i></p> <p>Maine Public Broadcasting Corp. <i>Part A Adjustments</i></p>	<p>The Education & Cultural Affairs Committee unanimously supports "Ought to Pass" motions on all the Part A initiatives related to the Cultural Affairs Agencies.</p> <p>The Education & Cultural Affairs Committee unanimously supports an "Ought to Pass as Amended" motion on the Part P initiative related to the Maine State Library. While the committee accepts the proposal to lapse balances to the General Fund, we also recommend that the Appropriations and Financial Affairs Committee amend Part P by inserting a new section P-2 to authorize the Maine State Library to establish a "Friends of the Library" group to raise private funds for the Maine State Library.</p> <p>The Education & Cultural Affairs Committee unanimously supports an "Ought to Pass" motion on the Part A initiative related to the Maine Public Broadcasting Corporation.</p>	<p><u>Motions:</u> Ought to Pass <u>Votes:</u> 11-0</p> <p><u>Motion:</u> Ought to Pass as Amended <u>Vote:</u> 11-0</p> <p><u>Motion:</u> Ought to Pass <u>Vote:</u> 11-0</p>

CURRENT

Sec. E-25. Mill expectation. The mill expectation pursuant to the Maine Revised Statutes, Title 20A, section 15671A for fiscal year 2010-11 is 7.66 and must be lowered to 7.14 as a result of funds provided under Title XIV of the State Fiscal Stabilization Fund of the federal American Recovery and Reinvestment Act of 2009 as part of the amount restored to school administrative units in fiscal year 2010-11.

PROPOSED

Sec. E-25. Mill expectation, is amended to read:

Sec. E-25. Mill expectation. The mill expectation pursuant to the Maine Revised Statutes, Title 20A, section 15671A for fiscal year 2010-11 is 7.66 and must be lowered to ~~7.14~~ 7.15 as a result of funds provided under Title XIV of the State Fiscal Stabilization Fund of the federal American Recovery and Reinvestment Act of 2009 as part of the amount restored to school administrative units in fiscal year 2010-11.

SUMMARY PART E-25

This amendment raises the mill expectation to from 7.14 to 7.15 for 2010 – 2011 as a result of revised data.

Amends Part E to LD 1671 by adding the following new sections:

PART E

Sec. E-30. 20-A, MRSA, §1481-A, sub§ 2-A, is enacted to read:

2-A. **Reformulated school administrative district cost-sharing.** For those school administrative districts recreated as regional school units pursuant to Public Law 2007, Chapter 240 as amended by Chapter 668, methods of cost-sharing and amendments of the cost-sharing formula shall be in accordance with section 1301.

**SUMMARY
PART E-30**

This provides those school administrative districts recreated as regional school units pursuant to Public Law 2007, Chapter 240 as amended by Chapter 668, a methods of cost-sharing and amendments of cost-sharing formula in accordance with existing school administrative district law.

NEW

PART E

Sec. E-31. 20-A, MRSA, §1486 sub§ 3, is amended to read:

3. **Budget validation referendum voting.** The method of calling and voting at a budget validation referendum is as provided in sections ~~1503~~ 1502 and ~~1504~~ 1503, except as otherwise provided in this subsection or as is inconsistent with other requirements of this section.

A. A public hearing is not required before the vote.

B. [2007, c. 668, §20 (RP).]

C. The warrant and absentee ballots must be delivered to the municipal clerk no later than the day after the date of the regional school unit budget meeting.

D. Absentee ballots received by the municipal clerk may not be processed or counted unless received on the day after the conclusion of the regional school unit budget meeting and before the close of the polls.

E. All envelopes containing absentee ballots received before the day after the conclusion of the regional school unit budget meeting or after the close of the

polls must be marked "rejected" by the municipal clerk.

F. The article to be voted on must be in the following form:

(1) "Do you favor approving the (name of regional school unit) budget for the upcoming school year that was adopted at the latest (name of regional school unit) budget meeting?

Yes No"

SUMMARY PART E-31

This amendment corrects a citing error regarding calling a referendum and referendum procedures.

NEW

Sec. E-32. 20-A MRSA §15683, sub-§1, paragraph F as amended by PL 2005, c. 519, Part A, section 10, is further amended to read:

F. An isolated small unit adjustment. A school administrative unit is eligible for an isolated small school adjustment when the unit meets the size and distance criteria as established by the commissioner. The amount of the adjustment is the result of adjusting the necessary student-to-staff ratios determined in section 15679, subsection 2, the per-pupil amount for operation and maintenance of plant in section 15680, subsection 1, paragraph B or other essential programs and services components in chapter 606-B, as recommended by the commissioner. The isolated small school adjustment is to be applied to discrete school buildings that meet the criteria for the adjustment; the adjustment is not applicable to sections, wings or other parts of building that are dedicated to certain grade spans.

SUMMARY PART E-32

This amendment provides definition of an isolated small school under the isolated small school adjustment as it is currently calculated.

NEW

E-33

Sec. E-33. 20-A, MRSA, §15689 sub§ 2, is amended to read:

2. **Adjustment for debt service.** Each school administrative unit may receive an adjustment for a debt service determined as follows.

A. A school administrative unit is eligible for this adjustment under the following conditions.

(1) The school administrative unit's local share results in a full-value education mill rate less than the local cost share expectation as described in section 15671-A through the 2009-10 fiscal year. Beginning in fiscal year 2010-11 and subsequent fiscal years, the condition for this subparagraph shall be that the school administrative unit's debt service allocation shall include principal and interest payments as defined in section 15672, sub-section 2-A, paragraph A.

(2) The school administrative unit has debt service costs defined under section 15672, subsection 2-A that have been placed on the state board's priority list by January 2005.

B. The amount of the adjustment is the difference, but not less than zero, between the state share of the total allocation under this chapter and the amount computed as follows.

(2) Beginning July 1, 2007, the school administrative unit's state share of the total allocation if the local share was the sum of the following:

(a) The local share amount for the school administrative unit calculated as the lesser of the total allocation excluding debt service costs and the school administrative unit's fiscal capacity multiplied by the mill rate expectation established in section 15671-A less the debt service adjustment mill rate defined in section 15672, subsection 2-B; and

(b) The local share amount for the school administrative unit calculated as the lesser of the debt service costs and the school administrative unit's fiscal capacity multiplied by the debt service adjustment mill rate defined in section 15672, subsection 2-B.

**SUMMARY
PART E-33**

This amendment revises one of the eligibility conditions for a school administrative unit to qualify for an adjustment for debt service beginning with fiscal year 2010-11.

NEW

Sec. E-34. 20-A MRSA §15689-B, sub-§4 as amended by PL 2005, c. 2, pt. D, §61 and PL 2005, c. 12, pt. WW, §18, is further amended to read:

4. Appeals. A school board may appeal the computation of state subsidy for the school administrative unit to the state board in writing within 30 days of the date of the initial notification of the computed amount of the component that is the subject of this appeal. The state board shall review the appeal and make an adjustment if in its judgment an adjustment is justified. The state board's decision is final as to facts supported by the record of the appeal.

**SUMMARY
PART E-34**

This amendment clarifies a State subsidy appeal to the State Board of Education.

NEW

Sec. E-35. 20-A, MRSA, §15693 sub§ 3, is amended to read:

3. **Budget format.** The following provisions apply to a budget format.
 - A. Except as provided in subsection 4, the budget format is that prescribed by a majority of the school board until an article prescribing the school budget format is approved by a majority of voters in an election in which the total vote is at least 20% of the number of votes cast in the municipality in the last gubernatorial election, or 200, whichever is less.
 - B. The format of the school budget may be determined in accordance with section ~~1306~~ 1485.
 - C. It is the intent of the Legislature that a school board shall attempt to obtain public participation in the development of the school budget format.

**SUMMARY
PART E-35**

This amendment corrects a citing error regarding calling a referendum and referendum procedures.

NEW

Sec. E-36. 20-A, MRSA, §15694 sub§ 3, is amended to read:

The following provisions apply to approving a school budget under this chapter.

1. **Checklist required.** Prior to a vote on articles dealing with school appropriations, the ~~moderator of a regular or special school budget meeting~~ vote shall require the clerk or secretary to make a checklist of the registered voters ~~present~~. The number of voters listed on the checklist is conclusive evidence of the number ~~present~~ at the meeting vote.

2. **Reconsideration.** Notwithstanding any law to the contrary, in school administrative units where the school budget is finally approved by the voters, a special budget ~~meeting~~ vote to reconsider action taken on the budget may be called only as follows.

A. The meeting reconsideration vote must be held within 30 days of the regular budget ~~meeting~~ vote at which the budget was finally approved in accordance with section 2307 or chapter 103-A.

B. In a regional school unit, school administrative district or community school district, the meeting reconsideration vote must be called by the school board or as follows.

(1) A petition containing a number of signatures of legal voters in the member municipalities of the school administrative unit equalling at least 10% of the number of voters who voted in the last gubernatorial election in member municipalities of the school administrative unit, or 100 voters, whichever is less, and specifying the article or articles to be reconsidered must be presented to the school board within 15 days of the regular budget meeting vote at which the budget was finally approved in accordance with chapter 103-A.

(2) On receiving the petition, the school board shall call the special budget reconsideration meeting vote, which must be held within 15 days of the date the petition was received.

C. In a municipality, the meeting must be called by the municipal officers:

(1) Within 15 days after receipt of a request from the school board, if the request is received within 15 days of the budget meeting vote at which the budget was finally approved in accordance with section 2307 and it specifies the article or articles to be reconsidered; or

(2) Within 15 days after receipt of a written application presented in

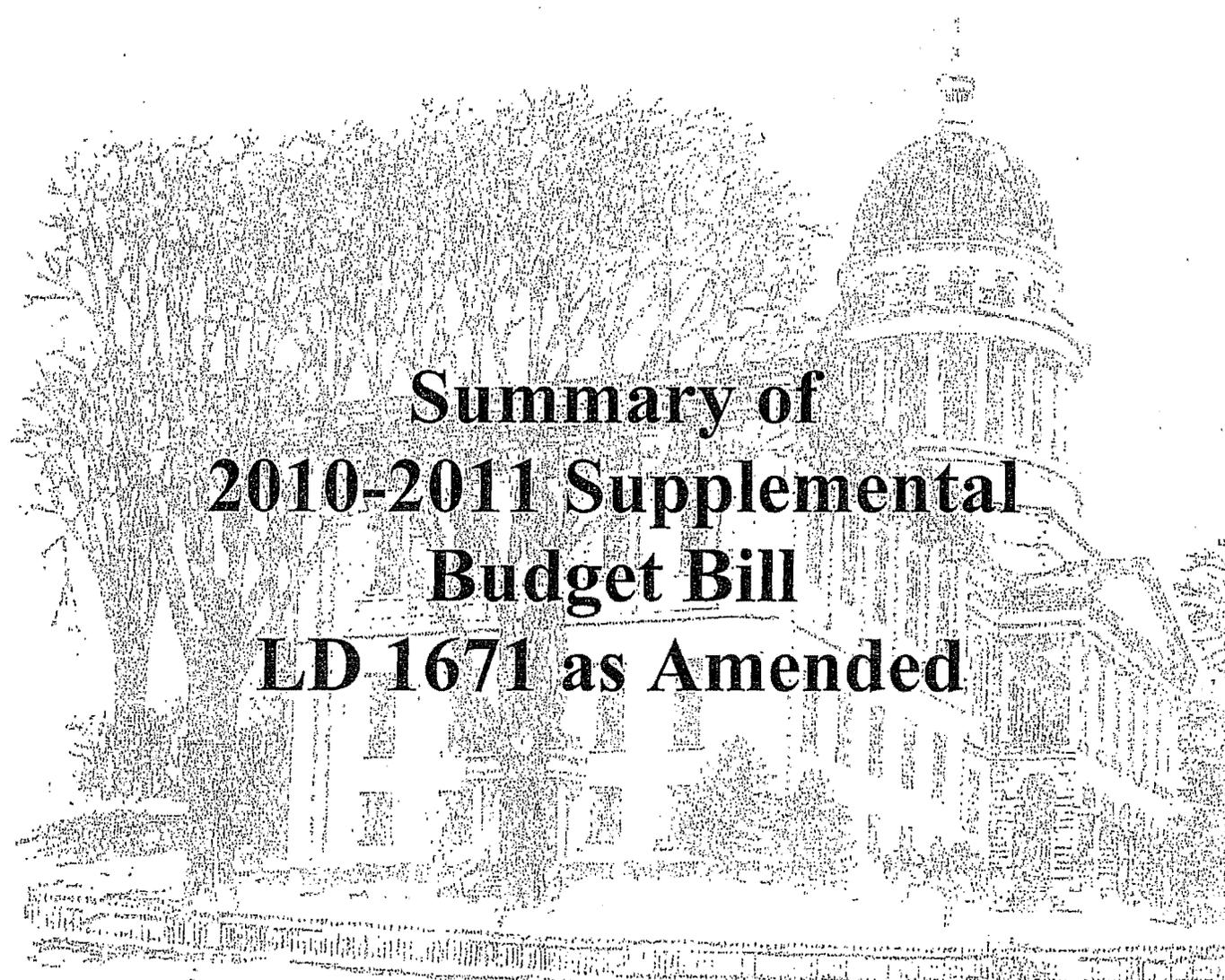
accordance with Title 30-A, section 2532, if the application is received within 15 days of the budget ~~meeting vote~~ at which the budget was finally approved in accordance with section 2307 and it specifies the article or articles to be reconsidered.

3. **Invalidation of action of special budget reconsideration meeting.** If a special budget ~~meeting vote~~ is called to reconsider action taken at a regular budget ~~meeting vote~~, the actions of the ~~meeting vote~~ are invalid if the number of voters at the special budget ~~meeting vote~~ is less than the number of voters ~~present~~ at the regular budget ~~meeting vote~~.

4. **Line-item transfers.** ~~Meetings votes~~ requested by a school board for the purpose of transferring funds from one category or line item to another must be posted for voter or council action within 15 days of the date of the request.

SUMMARY PART E-36

This amendment updates the action on the budget section of the statutes to be in compliance with new budget procedures for school administrative units.



**Summary of
2010-2011 Supplemental
Budget Bill
LD 1671 as Amended**

**Prepared by the
Office of Fiscal & Program Review**

March 28, 2010

**Summary of
2010-2011 Supplemental Budget Bill
as Amended**

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124TH LEGISLATURE, 2ND REGULAR SESSION
Summary of General Fund "Shortfall" and Solutions
(\$ in millions)

	FY 10	FY 11	Biennium
Summary of General Fund "Shortfall" ¹			
GF Revenue Revision - December 2009 RFC Forecast	(\$209.4)	(\$174.2)	(\$383.6)
GF Revenue Revision - March 2010 RFC Forecast	\$29.8	\$21.2	\$51.0
Net Shortfall from Revenue Forecast	(\$179.6)	(\$153.0)	(\$332.6)
Beginning Balance - FY 09 Ending Actual Balance	\$26.2		\$26.2
Net Changes to Balances - Prior to December 2009 Forecast	(\$48.5)	(\$2.5)	(\$51.0)
Net Change to Balances - Other 2nd Regular Session Legislation	\$16.8	(\$19.5)	(\$2.7)
Net Changes from Revenue Forecast and Statewide Deappropriation	(\$179.6)	(\$153.0)	(\$332.6)
General Fund "Shortfall" Before 2010-2011 Supplemental Budget	(\$185.4)	(\$175.0)	(\$360.4)
2010-2011 Supplemental Budget Bill (LD 1671 as amended)	\$185.2	\$175.2	\$360.4
General Fund Ending Balance w/ Governor's Supplemental	\$0.12	\$0.25	\$0.25

Summary of Appropriations and Revenue/Transfers

Resources (Transfers/Adjustments to Balance and Revenue):			
- General Fund Transfers and Adjustments to Balance	\$31.4	\$5.8	\$37.2
- General Fund Interfund Borrowing from Other Special Revenue	\$68.2	(\$68.2)	\$0.0
- General Fund Revenue	\$14.0	\$31.0	\$45.0
Net Increase (Decrease) to Resources	\$113.6	(\$31.4)	\$82.2
General Fund Appropriations:			
- General Fund Appropriations	(\$71.6)	(\$206.5)	(\$278.2)
Net Increase (Decrease) of Appropriations	(\$71.6)	(\$206.5)	(\$278.2)
Net Increase (Decrease) to Balance - Gov's Supplemental	\$185.2	\$175.2	\$360.4

Summary of General Fund "Spending" and "Savings" ²

Total of Initiatives Decreasing Resources ("Spending")			
- See Pie Chart on Page 2	(\$4.8)	(\$114.0)	(\$118.8)
Total Items Increasing Resources ("Savings")			
- See Pie Chart on Page 3	\$190.0	\$289.2	\$479.1
Net Increase (Decrease) to General Fund Resources	\$185.2	\$175.2	\$360.4

Amounts may not add due to rounding

Notes:

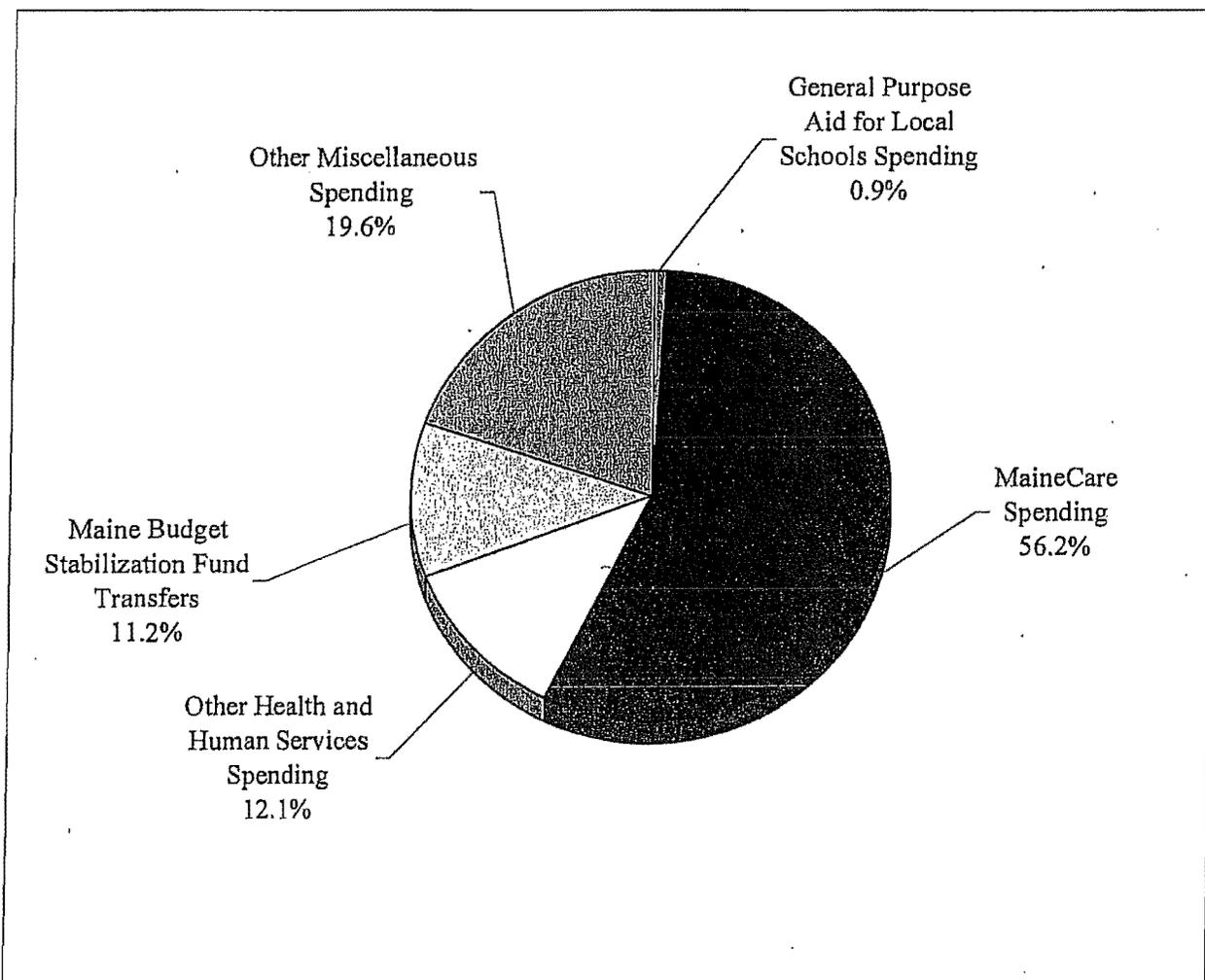
¹ The General Fund "Shortfall" results from the December 2009 downward revenue revision by the Revenue Forecasting Committee and the FY 09 year-end reduction to balance forward. These reductions of General Fund resources were partially offset by an upward revenue revision in the March 2010 revenue forecast. The amount of the shortfall does not reflect the statewide deappropriations of \$30.0 million (included in earlier presentations) that was offset by the Initiative to Streamline State Government, an interim study conducted by the Joint Standing Committee on Appropriations and Financial Affairs, and the resulting bill, LD 1668, PL 2009, c. 462.

² This analysis and the pie charts on the following pages present a different look at the revenue, transfers and appropriations. The purpose is to separate out those initiatives/proposals in the supplemental budget that represent "spending" of state resources from those that increase resources.

General Fund Adjustments - "Spending" Initiatives¹

Initiatives Decreasing General Fund Balance

	FY 10	FY 11	Biennium	% of Total
General Purpose Aid for Local Schools Spending	\$0.0	\$1.1	\$1.1	0.9%
MaineCare Spending	\$51.4	\$15.4	\$66.8	56.2%
Other Health and Human Services Spending	\$7.0	\$7.3	\$14.3	12.1%
Maine Budget Stabilization Fund Transfers	\$6.1	\$7.1	\$13.2	11.2%
One-day Other Special Revenue Borrowing	(\$68.2)	\$68.2	\$0.0	0.0%
Other Miscellaneous Spending	\$8.4	\$14.9	\$23.3	19.6%
TOTAL ADJUSTMENTS DECREASING BALANCE	\$4.8	\$114.0	\$118.8	100.0%



Notes:

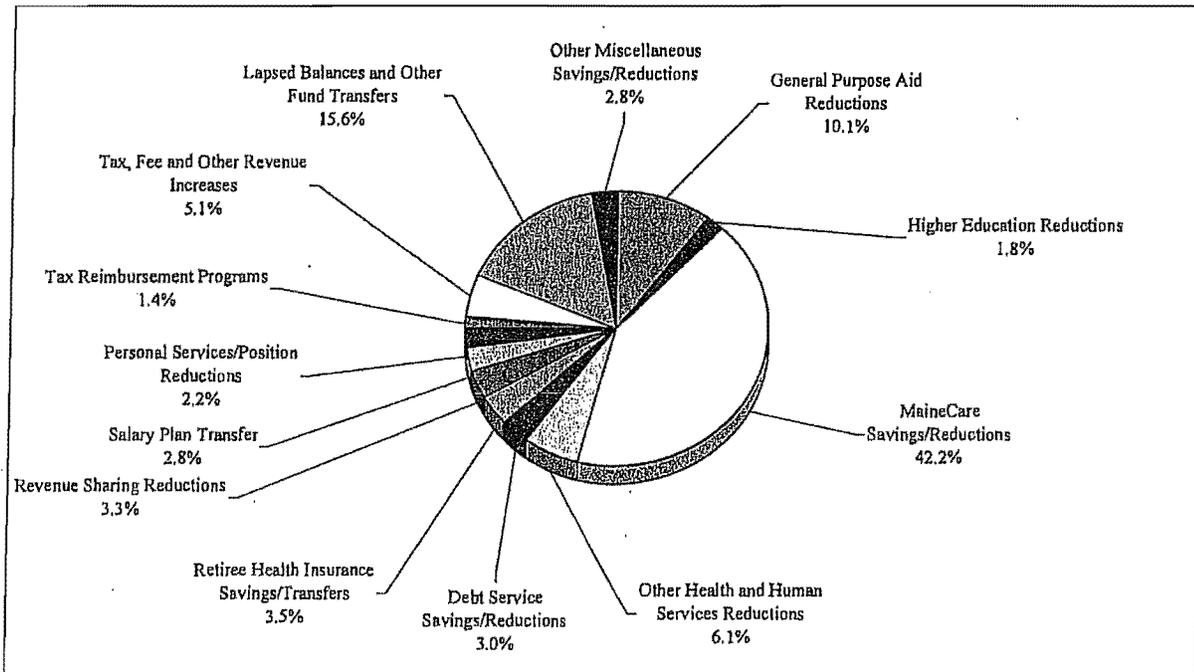
¹ "Spending" initiatives include all those items that decrease resources: appropriations; revenue decreases; transfers to other funds; and other negative adjustments to fund balance. Does not reflect transfers of appropriations between General Fund programs that net to \$0.

Amounts may not add due to rounding

General Fund Adjustments - "Savings" Initiatives ¹

Initiatives Increasing General Fund Balance

	FY 10	FY 11	Biennium	% of Total
General Purpose Aid Reductions	\$38.1	\$10.2	\$48.3	10.1%
Higher Education Reductions	\$7.9	\$0.5	\$8.4	1.8%
MaineCare Savings/Reductions	\$27.4	\$174.6	\$202.0	42.2%
Other Health and Human Services Reductions	\$14.9	\$14.4	\$29.3	6.1%
Debt Service Savings/Reductions	\$4.3	\$10.2	\$14.5	3.0%
Retiree Health Insurance Savings/Transfers	\$0.0	\$16.8	\$16.8	3.5%
Revenue Sharing Reductions	\$6.0	\$10.0	\$16.0	3.3%
Salary Plan Transfer	\$13.5	\$0.0	\$13.5	2.8%
Personal Services/Position Reductions	\$3.9	\$6.7	\$10.6	2.2%
Tax Reimbursement Programs	\$0.1	\$6.4	\$6.5	1.4%
Tax, Fee and Other Revenue Increases	\$8.1	\$16.5	\$24.6	5.1%
Lapsed Balances and Other Fund Transfers	\$60.5	\$14.5	\$75.0	15.6%
Other Miscellaneous Savings/Reductions	\$5.3	\$8.4	\$13.6	2.8%
TOTAL ADJUSTMENTS INCREASING BALANCE	\$190.0	\$289.2	\$479.1	100.0%



Notes:

¹ "Savings" initiatives include those items that increase resources: deappropriations; revenue increases; transfers from other funds; and other positive adjustments to balances. Does not reflect transfers of appropriations between General Fund programs that net to \$0.

Amounts may not add due to rounding

MaineCare and Other Health and Human Services Initiatives

	General Fund Costs (Savings)		
	\$'s in Millions		
	FY 10	FY 11	Biennium
MaineCare Savings/Reduction Initiatives			
ARRA Enhanced FMAP - 2 Quarter Extension	\$0.0	(\$84.9)	(\$84.9)
Retroactive Matching Rate Increase - ARRA FMAP	(\$7.5)	\$0.0	(\$7.5)
Enhanced FMAP Applied to Medicare Part D Clawback	(\$11.7)	(\$16.1)	(\$27.8)
Hospital Tax Rebasing	\$0.0	(\$11.4)	(\$11.4)
Hospital One-Time Assessment	\$0.0	(\$4.2)	(\$4.2)
Provider 10% Rate Reductions	\$0.0	(\$3.3)	(\$3.3)
Federal Disallowance of TCM claims from FY 02 and FY03	\$0.0	(\$29.7)	(\$29.7)
Elimination of NF Staff Enhancement Payments	\$0.0	(\$2.3)	(\$2.3)
Physician Reimbursement Reduction	\$0.0	(\$1.5)	(\$1.5)
Developmental Services Initiatives	(\$4.2)	(\$6.5)	(\$10.7)
Adult Mental Health Initiatives	\$0.0	(\$2.7)	(\$2.7)
Children's Services Initiatives	\$0.0	(\$1.8)	(\$1.8)
Other MaineCare Savings Initiatives	\$0.0	(\$6.2)	(\$6.2)
Distribution of Departmentwide	(\$4.0)	(\$4.0)	(\$8.0)
Subtotal - MaineCare Savings	(\$27.4)	(\$174.6)	(\$202.0)
MaineCare Cost/Spending Initiatives			
Additional FY10 MaineCare Costs (MAP and NF)	\$7.5	\$0.0	\$7.5
Provider 10% Rate Reductions - Rate Restorations	\$0.0	\$1.4	\$1.4
Hospital Payment Increase	\$0.0	\$2.3	\$2.3
Federal Disallowance of TCM claims from FY 02 and FY03	\$29.7	\$0.0	\$29.7
Developmental Services Initiatives	\$4.2	\$6.1	\$10.3
Long-Term Care Facility Increase	\$1.2	\$5.8	\$7.1
Medicare Part B Premiums Payments Increase	\$1.7	\$4.2	\$5.9
MECMS Claims Payments - Accelerated Claims Run-out	\$6.6	(\$6.6)	\$0.0
Other MaineCare Costs	\$0.4	\$2.3	\$2.7
Subtotal - MaineCare Costs/Spending	\$51.4	\$15.4	\$66.8
Other HHS Savings/Reduction Initiatives			
ARRA Enhanced Foster Care IV-E Payments	(\$2.9)	(\$1.7)	(\$4.5)
ARRA Enhanced FMAP - 2 Quarter Extension	\$0.0	(\$0.2)	(\$0.2)
Provider 10% Rate Reductions	\$0.0	(\$0.2)	(\$0.2)
Departmentwide - Personal Services Reductions	(\$3.0)	(\$1.3)	(\$4.3)
Residential Care Facility and Elder Services	(\$4.9)	(\$5.1)	(\$9.9)
Adult Mental Health Initiatives	(\$1.3)	(\$2.8)	(\$4.2)
Developmental Services Initiatives	(\$0.8)	(\$0.3)	(\$1.2)
Children Services Initiatives	(\$0.9)	(\$0.6)	(\$1.5)
Public Assistance Initiatives	(\$0.9)	(\$0.9)	(\$1.8)
Other DHHS Savings Initiatives	(\$0.2)	(\$1.4)	(\$1.6)
Total Other HHS Savings/Reductions	(\$14.9)	(\$14.4)	(\$29.3)
Other HHS Cost/Spending Initiatives			
Departmentwide Deappropriation Offset	\$4.0	\$4.0	\$8.0
General Assistance Shortfall	\$0.9	\$1.5	\$2.3
Public Health Program Funding	\$2.0	\$0.1	\$2.1
Adult Mental Health Initiatives	\$0.0	\$0.7	\$0.7
Elder Services Initiatives	\$0.0	\$1.0	\$1.0
Other DHHS Costs/Spending	\$0.1	\$0.1	\$0.2
Subtotal - Other HHS Costs/Spending	\$7.0	\$7.3	\$14.3
Total - MaineCare and Other HHS Costs (Savings)	\$16.2	(\$166.4)	(\$150.2)

Amounts may not add due to rounding

Fund for a Healthy Maine (FHM) Initiatives

	FHM Cost (Savings)		
	\$ in Millions		
	<u>FY 10</u>	<u>FY 11</u>	<u>Biennium</u>
FHM Savings/Reduction Initiatives			
Transfers 4 Community Care Worker positions and one Social Services Program Specialist II position from the FHM - Service Center program to the Division of Licensing and Regulatory Services program.	\$0.00	(\$0.41)	(\$0.41)
Reduces funding to reflect a fundwide reduction to the Fund for a Healthy Maine (see note below)	\$0.00	(\$1.33)	(\$1.33)
Adjusts funding available as the result of the extension of the enhanced Federal Medical Assistance Percentage for an additional 2 quarters.	\$0.00	(\$1.28)	(\$1.28)
Subtotal - MaineCare Savings	\$0.00	(\$3.02)	(\$3.02)
FHM Cost/Spending Initiatives			
Transfers Fund for a Healthy Maine balance to General Fund	\$3.93	\$1.46	\$5.38
Provides funding to the Fire Marshall for inspections of facilities licensed by the Department of Health and Human	\$1.14	\$0.00	\$1.14
Provides funding to offset the fundwide deallocation made in PL 2009, c. 213, Part UUUU.	\$0.54	\$0.00	\$0.54
Allocates funds for FHM - Bureau of Health Oral Health Program to partially restore cut in PL 2009, c. 213.	\$0.00	\$0.05	\$0.05
Subtotal - MaineCare Costs/Spending	\$5.60	\$1.50	\$7.10
Total - FHM Costs (Savings)	\$5.60	(\$1.52)	\$4.08

Amounts may not add due to rounding

Notes:

The net FHM cost of \$4.08 million in the 2010-2011 Supplemental Budget would result in a negative ending balance in FY 11 of \$0.48 million. Absent adverse revenue performance, lapsed balances are expected to provide sufficient increases to FHM balance to offset the negative FY 11 balance. Any excess would then be used to reduce the fundwide deallocation in Part TTT of LD 1671 as amended.

**2010-2011 SUPPLEMENTAL BUDGET
SUMMARY OF MAJOR FISCAL POLICY ISSUES**

<u>Description of Issue</u>	General Fund Cost (Savings) \$ in Millions		
	<u>FY 10</u>	<u>FY 11</u>	<u>Biennium</u>
Reductions to Local Government Funding			
Reduces General Purpose Aid for Local Schools, revenue sharing, General Assistance and other local government funding. (See pg. 7 for more detail)	(41.7)	(19.0)	(60.7)
Transfers Retiree Health Insurance Reserve Balances			
Transfers all available equity reserves and reduces rates for retiree health insurance.	(46.1)	(20.6)	(66.7)
Transfers from Salary Plan Reserve			
Transfers \$13.5 million from the General Fund Salary Plan account (designated for covering General Fund collective bargaining costs). The beginning FY 10 balance in the account was \$15.0 million.	(13.5)	0.0	(13.5)
Other Special Revenue Borrowing			
Includes a \$68.2 million borrowing from Other Special Revenue Funds to keep FY10 in balance. The enacted budget for FY10 already relies on \$16 million of borrowing between fiscal years. This \$84.2 million of additional General Fund spending in FY10 not supported by General Fund resources will deplete General Fund cash balances. The cash position should recover over the course of FY11.	(68.2)	68.2	0.0
Additional "Tax Amnesty" Initiatives			
Includes 2 new initiatives to reduce the amount of outstanding tax receivables, which are similar to the successful effort concluded this past November. This initiatives waive most of the penalties and interest associated with tax assessments that are past due.	0.0	(9.5)	(9.5)
Additional Federal Stimulus - Pending Federal Enactment			
Includes additional General Fund deappropriations in MaineCare of \$85.1 million assuming that the federal government will enact the extension of the enhanced Federal Medical Assistance Percentage (FMAP). If the federal enactment does not occur by July 1, 2010, the Governor is directed to begin the process of curtailing General Fund spending to take effect no later than October 1, 2010.	0.0	(85.1)	(85.1)
Other Federal Stimulus Savings			
Additional federal stimulus savings from regulatory changes to the enhanced FMAP under the American Recovery and Reinvestment Act of 2009 (ARRA) through federal rule changes, which included application of the enhanced FMAP to Medicare Part D payments and a retroactive increase for the last quarter of FY 09.	(22.0)	(17.8)	(39.8)
Restores Longevity Payments in FY 11			
Restores longevity payments for state employees in FY 11.	0.0	2.1	2.1

2010-2011 SUPPLEMENTAL BUDGET BILLS
SUMMARY OF MAJOR LOCAL GOVERNMENT IMPACTS

<u>Description of Issue</u>	Increase (Dec.) in Local Funding \$ in Millions		
	<u>FY 10</u>	<u>FY 11</u>	<u>Biennium</u>
School Subsidy Net Reductions			
Reduces General Purpose Aid to Local Schools in both fiscal years. The state share goal of funding 55% of Essential Programs and Services (EPS) would be delayed until FY12. The state share of K-12 spending as measured by EPS will be 47.9% this year and 45.0% in FY11. Provides \$1.1 million in FY11 for schools that voted to support the State's education reform law but whose partner districts rejected administrative consolidation.	(38.1)	(9.1)	(47.2)
Revenue Sharing Reductions			
Includes additional fixed reductions to revenue sharing of \$6 million in FY10 and \$10 million in FY11. In addition to these amounts, the December 2009 and March 2010 Revenue Forecasts projected additional declines for revenue sharing of \$10.0 million in FY10 and \$9.0 million in FY11.	(6.0)	(10.0)	(16.0)
Other Revenue Sharing Effects			
Includes net increase from changes to the tax base used to calculate revenue sharing transfers.	0.4	0.7	1.1
Homestead Property Tax Exemption Reimbursement			
Changes the timing of the reimbursements, pushing 25% of the reimbursement into the next fiscal year beginning in FY11.	0.0	(5.4)	(5.4)
Tree Growth Tax Reimbursement			
Reduces the FY11 distribution by an additional 10%.	0.0	(0.5)	(0.5)
Additional Funding for State Board of Corrections			
Includes a \$3.5 million appropriation to offset a projected shortfall in the county corrections funding, which was partially offset by a reduction in dedicated revenue due to revenue reprojections.	0.0	3.4	3.4
General Assistance			
Includes additional appropriations to address a shortfall.	0.9	1.5	2.3
Local Transportation Funding			
Highway Fund supplemental budget bill includes additional funding based on a net increase in funding for the Department of Transportation, primarily maintenance paving.	1.1	0.4	1.5
Total Increase (Reductions) to Local Government Funding	(41.7)	(19.0)	(60.7)
	<i>Amounts may not add due to rounding</i>		

124TH LEGISLATURE, 2ND REGULAR SESSION
2010-2011 SUPPLEMENTAL BUDGET BILLS AS AMENDED
SUMMARY OF POSITION CHANGES ¹

<u>Fund</u>	<u>Total Authorized Positions - Prior to 124th Legislature, 2nd Regular</u>	<u>Streamlining Initiative ¹</u>	<u>Supplemental Budget Bills as amended ²</u>	<u>Total Authorized Positions - After Supplemental Budget Bills</u>
General Fund	5,969.551	(6.000)	(35.558)	5,927.993
Highway Fund ²	2,360.149	0.000	(33.230)	2,326.919
Federal Expenditures Fund	1,649.523	1.000	(46.250)	1,604.273
Federal Expenditures Fund - ARRA	0.000	0.000	0.000	0.000
Fund for a Healthy Maine	23.500	0.000	(5.000)	18.500
Other Special Revenue Fund	2,390.695	4.000	60.558	2,455.253
Federal Block Grant Fund	139.500	0.000	(15.000)	124.500
Federal Block Grant Fund - ARRA	0.000	0.000	0.000	0.000
Other Funds ²	1,297.454	(1.000)	(0.639)	1,295.815
Total Change of Authorized Positions	13,830.372	(2.000)	(75.119)	13,753.253

Notes:

- ¹ AFA Committee recommendations resulting from the Initiative to Streamline State Government, LD 1668, PL 2009, c. 462.
- ² These totals also reflect position changes in LD 1728, the Highway Fund Supplemental Budget Bill, as amended by unanimous committee report. Position changes total -33.230 positions in the Highway Fund, -2.000 in the Fleet Services Fund - DOT and +2.361 in the Island Ferry Services Fund.

APPENDIX A
GENERAL FUND REVENUE AND EXPENDITURE HISTORY
BUDGETS VS. ACTUALS: FY 1992- FY 2011

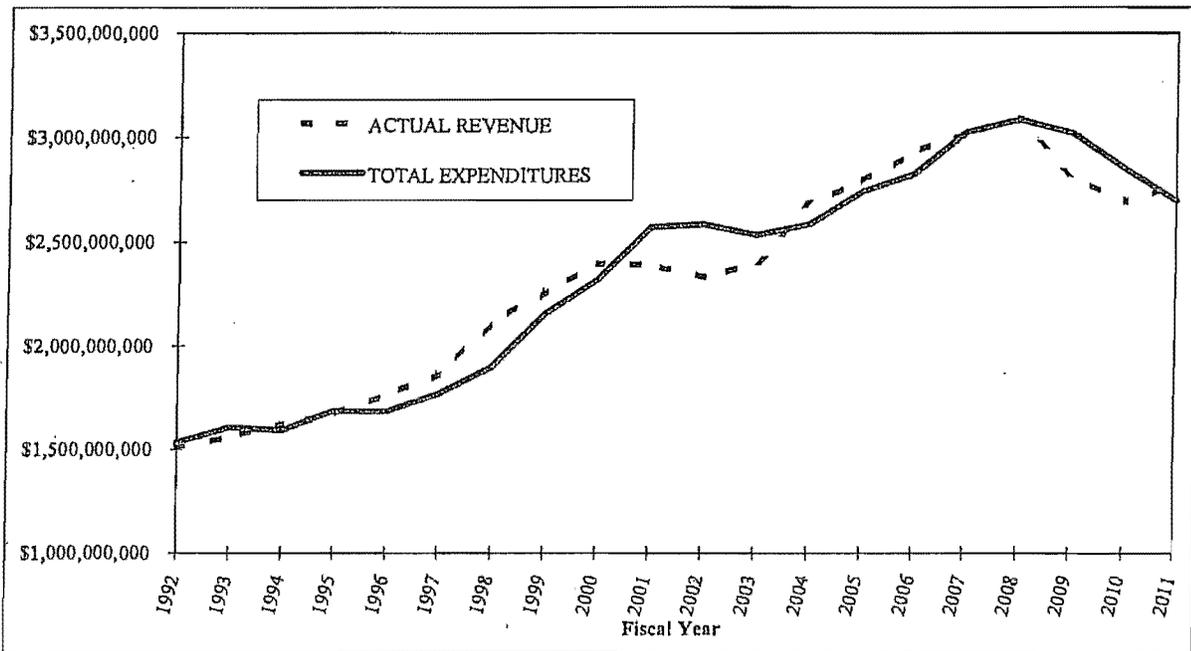
FISCAL YEAR	GENERAL FUND REVENUE				GENERAL FUND SPENDING			
	TOTAL BUDGETED REVENUE	% CHG.	ACTUAL REVENUE	% CHG.	TOTAL APPROPRIATIONS	% CHG.	TOTAL EXPENDITURES	% CHG.
1992	1,511,121,884	5.5%	1,512,463,098	6.2%	1,516,169,287	-0.3%	1,533,844,301	-1.1%
1993	1,552,884,155	2.8%	1,561,402,638	3.2%	1,577,593,982	4.1%	1,606,620,231	4.7%
1994	1,597,301,393	2.9%	1,623,888,486	4.0%	1,599,447,945	1.4%	1,592,804,301	-0.9%
1995	1,665,254,124	4.3%	1,671,736,430	2.9%	1,673,401,754	4.6%	1,686,997,648	5.9%
1996	1,735,173,575	4.2%	1,766,400,761	5.7%	1,733,842,806	3.6%	1,685,207,128	-0.1%
1997	1,803,517,546	3.9%	1,863,086,301	5.5%	1,815,498,708	4.7%	1,768,652,528	5.0%
1998	¹ 1,927,664,314	6.9%	2,111,860,005	13.4%	1,888,812,553	4.0%	1,898,373,018	7.3%
1999	² 2,181,100,948	13.1%	2,259,718,302	7.0%	2,201,734,442	16.6%	2,153,508,109	13.4%
2000	2,361,714,282	8.3%	2,395,216,806	6.0%	2,316,629,198	5.2%	2,317,138,580	7.6%
2001	2,358,010,018	-0.2%	2,390,628,351	-0.2%	2,645,121,992	14.2%	2,571,368,893	11.0%
2002	2,424,196,674	2.8%	2,331,660,562	-2.5%	2,565,345,849	-3.0%	2,583,684,236	0.5%
2003	2,372,305,554	-2.1%	2,394,690,190	2.7%	2,540,382,576	-1.0%	2,533,197,609	-2.0%
2004	2,620,476,211	10.5%	2,683,539,557	12.1%	2,642,999,485	4.0%	2,584,232,096	2.0%
2005	2,760,939,443	5.4%	2,790,845,053	4.0%	2,784,473,472	5.4%	2,738,123,135	6.0%
2006	2,857,738,104	3.5%	2,931,825,687	5.1%	2,871,878,613	3.1%	2,824,410,407	3.2%
2007	3,004,907,574	5.1%	3,019,595,389	3.0%	2,978,358,710	3.7%	3,024,363,451	7.1%
2008	3,040,740,422	1.2%	3,087,818,992	2.3%	3,129,325,355	5.1%	3,083,641,475	2.0%
2009	2,854,763,148	-6.1%	2,811,368,295	-9.0%	3,017,952,419	-3.6%	3,019,800,023	-2.1%
2010	³ 2,693,005,389	-5.7%	2,693,005,389	-4.2%	2,849,227,923	-5.6%	2,849,227,923	-5.6%
2011	³ 2,773,674,035	3.0%	2,773,674,035	3.0%	2,696,366,734	-5.4%	2,696,366,734	-5.4%

Sources: State of Maine Annual Financial Reports/OFPR Compendia of Fiscal Information & Appropriations Summaries

Notes: ¹ Actual FY 98 Revenue includes all "Tax Relief Fund for Maine Residents" and "Tobacco Tax Relief Fund" revenues

² Budgeted and Actual FY 99 Revenue includes \$22,595,032 transferred pursuant MRSA 36 §1811

³ Budgeted amounts based on all enacted law through March 22, 2010, the December 2009 and March 2010 Revenue Forecasts and LD 1671 as amended

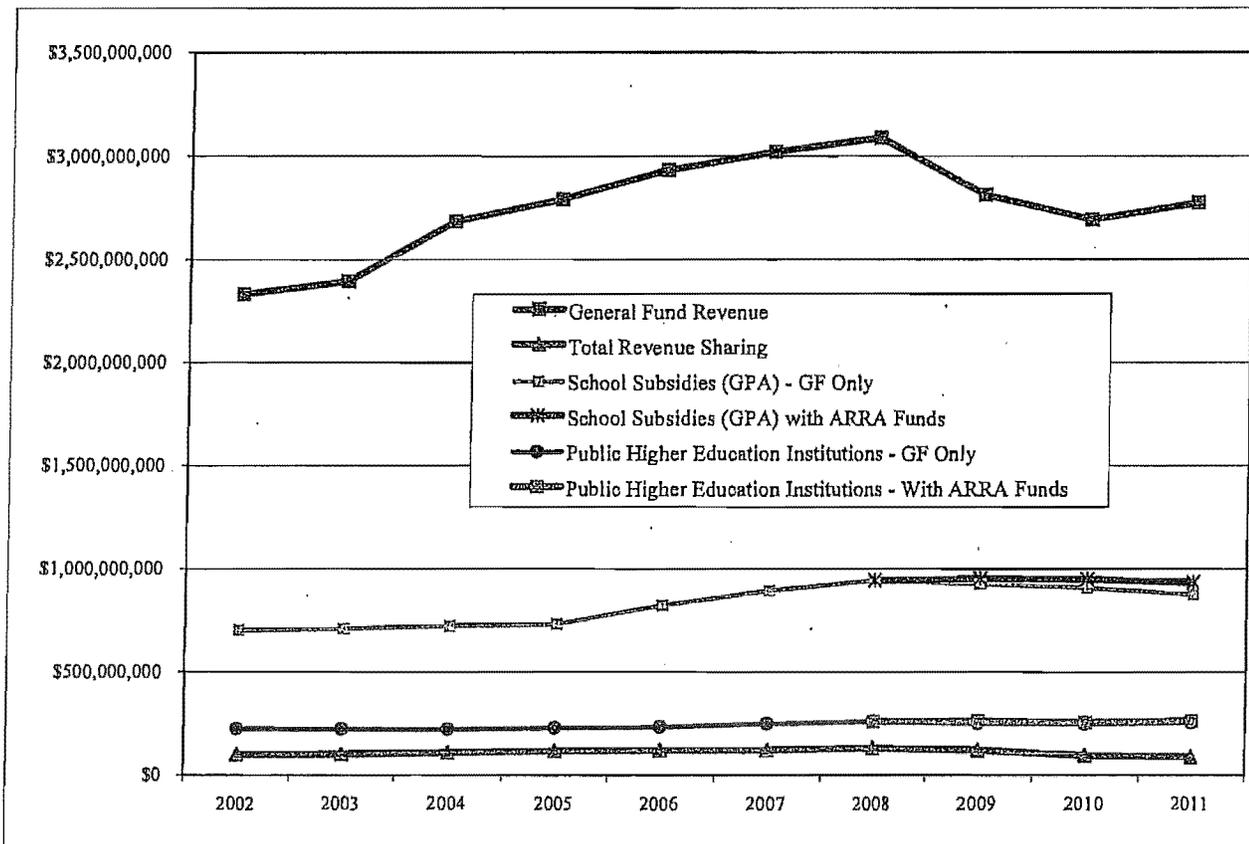


APPENDIX B

Major Funding for Local Governments and Public Higher Education Institutions

Provided below is a table and graph illustrating recent trends in General Fund revenue compared with the General Fund dollars distributed to local schools through school subsidies (GPA), to municipalities through revenue sharing and to the public higher education institutions. For GPA and the higher education institutions, additional trend lines are provided illustrating the trends when the federal stimulus funds (ARRA) are included. The amounts shaded in blue below are budgeted amounts reflecting changes in the 2010-2011 Supplement Budget, LD 1671 as amended.

Fiscal Year	General Fund Revenue	Total Revenue Sharing	School Subsidies (GPA) - GF Only	School Subsidies (GPA) with ARRA Funds	Public Higher Education Institutions - GF Only	Public Higher Education Institutions - With ARRA Funds
2002	2,331,660,562	100,610,139	702,469,605		224,355,873	
2003	2,394,690,190	102,303,028	711,165,537		222,568,219	
2004	2,683,539,557	110,657,900	722,981,043		220,930,473	
2005	2,790,845,053	116,589,500	732,537,776		228,900,753	
2006	2,931,825,687	121,375,655	823,420,313		233,988,700	
2007	3,019,595,389	121,220,421	895,010,700		248,945,157	
2008	3,087,818,992	133,007,280	945,412,260	945,412,260	260,248,526	260,248,526
2009	2,811,368,295	120,836,434	927,518,465	954,565,114	252,270,692	265,393,979
2010	2,693,005,389	95,899,642	907,467,531	950,463,647	248,877,699	257,040,282
2011	2,773,674,035	89,209,367	876,459,920	935,219,032	256,038,040	264,200,623



APPENDIX C

Summary of Highway Fund "Shortfall" and Solutions (\$ in millions)

	FY 10	FY 11	Biennium
Summary of Highway Fund "Shortfall"			
Revenue Revision - December 2009 RFC Forecast	(\$7.3)	(\$7.1)	(\$14.3)
Revenue Revision - March 2010 RFC Forecast	\$4.0	\$5.4	\$9.4
Net Shortfall from Revenue Forecast	(\$3.2)	(\$1.6)	(\$4.9)
Beginning Balance - FY 09 Ending Actual Balance	\$1.5		\$1.5
Net Changes to Balances - Prior to December 2009 Forecast	\$0.5	(\$1.0)	(\$0.4)
Net Changes to Balances - Other 2nd Regular Session Legislation	\$0.01	\$0.03	\$0.04
Net Changes from Revenue Forecast and Statewide Deappropriation	(\$3.2)	(\$1.6)	(\$4.9)
Highway Fund Shortfall Before 2010-2011 Supplemental Budget	(\$1.2)	(\$2.8)	(\$3.8)
2010-2011 Supplemental Budget Bill (LD 1728 as Amended)	\$1.2	\$2.8	\$4.0
Highway Fund Ending Balance w/LD 1728 as Amended	\$0.05	\$0.25	\$0.25

Summary of Highway Fund Allocations and Revenue/Transfers (LD 1728 as Amended)

Resources (Transfers/Adjustments to Balance and Revenue):			
- Highway Fund Transfers and Adjustments to Balance	\$11.2	\$0.0	\$11.2
- Highway Fund Revenue	\$0.0	\$0.0	\$0.0
Net Increase (Decrease) to Resources	\$11.2	\$0.0	\$11.2
Highway Fund Allocations:			
- Highway Fund Allocations	\$9.9	(\$2.8)	\$7.2
Net Increase (Decrease) of Allocations	\$9.9	(\$2.8)	\$7.2
Net Increase (Decrease) to Balance - LD 1728 as Amended	\$1.2	\$2.8	\$4.0

Summary of Major Initiatives (LD 1728 as Amended)

Major "Savings" Initiatives			
- Retiree Health Insurance Transfers and Deallocations	(\$11.1)	(\$5.5)	(\$16.6)
- Other Statewide Savings	(\$1.0)	(\$1.1)	(\$2.1)
- Department of Transportation Savings Initiatives	(\$5.0)	(\$2.8)	(\$7.7)
- Debt Service Savings	(\$5.5)	(\$4.8)	(\$10.3)
- Reductions to Capital Program - Transfer to Light Capital	(\$0.5)	(\$3.6)	(\$4.1)
- Other Miscellaneous Savings Initiatives	(\$0.3)	(\$0.4)	(\$0.8)
Major "Spending" Initiatives			
- Increase Allocations for Light Capital/Maintenance Paving	\$21.0	\$12.5	\$33.5
- Urban-Rural Initiative Program (Local Transportation Aid)	\$1.1	\$0.4	\$1.5
- Restore Longevity Payments in FY 11	\$0.0	\$0.5	\$0.5
- Other Miscellaneous Spending Initiatives	\$0.2	\$2.1	\$2.2
Net Increase (Decrease) to Balance - LD 1728 as Amended	(\$1.2)	(\$2.8)	(\$4.0)

Amounts may not add due to rounding

Notes:

This presentation of the Highway Fund shortfall and the solutions is similar to the presentation for the General Fund and summarizes the work of the Transportation Committee on LD 1728, the Highway Fund Supplemental Budget Bill. Other 2nd Regular Session affecting the Highway Fund reflects PL 2009, c. 462, the Streamlining Initiative.

(To be held in conjunction with the Joint Standing Committee on Education and Cultural Affairs):

Thursday
1/14/10

1:00 pm

Arts Commission, Maine

- Arts – Administration

Historic Preservation Commission, Maine

- Historic Preservation Commission

Historical Society, Maine

Humanities Council, Maine

- Humanities Council

Library, Maine State

- Administration – Library
- Library Special Acquisitions Fund
- Maine State Library
- *Language Part "P" Lapses certain unencumbered balances of the Maine State Library, Library Special Acquisitions program to the General Fund.*

Museum, Maine State

- Information Technology
- Maine State Museum

Maine State Cultural Affairs Council

- *Language Part "Q" Lapses certain unencumbered balances to the General Fund.*

Maine Public Broadcasting Corporation

Finance Authority of Maine

- Student Financial Assistance Programs

Maritime Academy, Maine

- Maritime Academy – Operations

Maine Community College System - Board of Trustees

University of Maine, Board of Trustees of the

- Educational & General Activities – UMS
- *Language Part "PP" Corrects the allocations from General Bond issue in PL 2009 c. 414 for the Marine Wind Energy Demonstration Site Fund.*

Education, Department of

- General Purpose Aid for Local Schools (GPA)
- *Language Part "E" Repeals, clarifies and corrects certain statutory sections, addresses tuition rate calculations, specifies percentages for the 2010-11 funding level and specifies mill expectations for each year of the biennium.*
- *Language Part "V" Amends the statute related to child care programs in the Essential Programs and Service Act and the Child Development Services System.*
- Adult Education
- Child Development Services

- Leadership Team
- Management Information Systems
- Professional Development and Education Fund
- Retired Teacher Health Insurance
- School Finance and Operations
- *Language Part "U" amends provisions related to filing a complaint alleging non-compliance with chapter 303 of MRSA 20-A (children with disabilities).*
- *Language Part "W" Relates to Position Classifications within the Department of Education.*
- *Language Part "X" Amends statutes related to program balances, the Teacher Retirement Account, and proceeds from the sale of equipment and lapses balances from a specified account.*
- *Language Part "QQ" Transfers certain unexpended funds from the Criminal History Background Check Fund account to the unappropriated surplus of the General Fund.*

State Board of Education

APPROPRIATIONS COMMITTEE VOTING TALLY SHEET

LD # or Confirmation: 1671

Committee: Joint Standing Committee on Appropriations and Financial Affairs

Date: 3-22-2010

Motion: OTP-AM

Motion by: Rep. Millett

Seconded by: Rep. Cain

Those Voting in Favor of the Motion	Recommendation of those opposed to the Motion					Absent	Abstain
	ONTP	OTP	OTP-AM	New Draft	Re-Refer		

Senators

1. SEN. DIAMOND	✓						
2. SEN. CRAVEN	✓						
3. SEN. ROSEN	✓						

Representatives

1. REP. CAIN	✓						
2. REP. MARTIN	✓						
3. REP. WEBSTER	✓						
4. REP. ROTUNDO	✓						
5. REP. MILLER	✓						
6. REP. CONNOR	✓						
7. REP. MILLETT	✓						
8. REP. FLOOD	✓						
9. REP. ROBINSON	✓						
10. REP. NUTTING	✓						
TOTALS							

HOUSE REPORT

THE COMMITTEE ON Appropriations and Financial Affairs

to which was referred the following:

An Act Making Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2010 and June 30, 2011

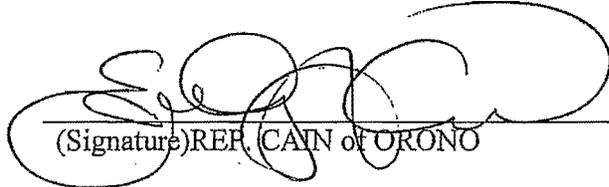
(EMERGENCY)

H.P. 1183

L.D. 1671

has had the same under consideration, and asks leave to report that the same

ought to pass as amended by committee amendment " "


(Signature) RER CAIN of ORONO

of 
For the Committee

(Type)
Rep. of (Town) and/or Sen. of (County)

(Signatures)

HOUSE REPORT

Printed on recycled paper

Conference and led Edward Little High School to a 30-4 regular season record over the last two seasons. During the later part of this year's season, she developed a stress fracture in her foot. In her absence from play time, the EL ladies lost six of its last seven games, including the KVAC rematch and Eastern A Quarterfinals. There are those who believe the girls would probably have played the state championship given that Kirsten would have remained healthy throughout the season. A great shooter, a great play maker and individual competitor, she scored over 1,000 points during her high school career, a feat she was able to achieve despite the fact that she was double and triple teamed on more than one occasion. Even more important than her athletic ability, Kirsten is an extraordinary young woman with exceptional intelligence, and she is a great role model. These personal traits and strengths no doubt played a role in her being admitted into Bowdoin College where she will compete in a premier program that has proven to be one of the perennial powerhouse teams in Division III women's basketball. Sounds like a great fit for this girl with varied talents. Thank you, Madam Speaker.

Subsequently, the Sentiment was **PASSED** and sent for concurrence.

REPORTS OF COMMITTEE
Divided Report

Majority Report of the Committee on **NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-386)** on Bill "An Act To Amend the Site Location of Development Laws To Include Consideration of Greenhouse Gas Emissions"

(S.P. 341) (L.D. 891)

Signed:

Senator:

GOODALL of Sagadahoc

Representatives:

BOLDUC of Auburn

KNAPP of Gorham

EBERLE of South Portland

DUCHESNE of Hudson

WALSH INNES of Yarmouth

WELSH of Rockport

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senator:

SMITH of Piscataquis

Representatives:

HAMPER of Oxford

EDGECOMB of Caribou

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-386) AS AMENDED BY SENATE AMENDMENT "C" (S-489)** thereto.

READ.

Representative **DUCHESNE** of Hudson moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

CONSENT CALENDAR

First Day

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(H.P. 389) (L.D. 551) Bill "An Act To Improve the Essential Programs and Services Funding Formula" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-793)**

(H.P. 1238) (L.D. 1741) Resolve, Regarding Legislative Review of Portions of Chapter 101: Maine Unified Special Education Regulation, a Major Substantive Rule of the Department of Education (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-795)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the House Papers were **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

The House recessed until 11:00 a.m.

(After Recess)

The House was called to order by the Speaker.

The following item was taken up out of order by unanimous consent:

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment yesterday, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

HOUSE REPORT - Ought to Pass as Amended by Committee Amendment "A" (H-790) - Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act Making Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2010 and June 30, 2011" (EMERGENCY)

(H.P. 1183) (L.D. 1671)

TABLED - March 29, 2010 (Till Later Today) by Representative **CAIN** of Orono.

PENDING - ACCEPTANCE OF COMMITTEE REPORT.

Subsequently, the Unanimous Committee Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-790)** was **READ** by the Clerk.

Representative **CAIN** of Orono **PRESENTED** House **Amendment "C" (H-798)** to **Committee Amendment "A" (H-790)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Orono, Representative **Cain**.

Representative **CAIN**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. This is a technical amendment brought to our attention by the Office of Fiscal and

Program Review that does three things. It first corrects a position count that was inadvertently left out of the budget. Second, it inserts two appropriations and allocation sections that were inadvertently omitted from the amendment. And three, corrects the amendment to offset a negative projected balance in the Fund for Healthy Maine, making sure that balance stays intact and on balance, as was the intent of the committee. All three of these pieces were reviewed. This amendment, which includes those three pieces, was reviewed by the Appropriations Committee yesterday, and it was the understanding of the committee that this will be offered today and I would ask for support. Thank you, Madam Speaker.

Subsequently, **House Amendment "C" (H-798) to Committee Amendment "A" (H-790) was ADOPTED.**

Representative JOHNSON of Greenville **PRESENTED House Amendment "B" (H-796) to Committee Amendment "A" (H-790)**, which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Greenville, Representative Johnson.

Representative **JOHNSON**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. This amendment would provide an exemption from penalties established for nonconforming school administrative units if: 1) they can demonstrate that the school administrative unit would lose subsidy by consolidating or 2) because the reorganization plan would not have provided any greater educational benefit to students than what is provided to students enrolled in the schools currently operated by the school administrative units participating in the reorganization process.

The question we all have is why should we approve this amendment? The answer is simple. The school consolidation law was a one size fits all law that required communities to do things that were against their own self interests. About 55% of the school systems had to make no change and some districts were able to consolidate and save money. On the other hand, several rural schools complied with all the required actions of the consolidation law and found that the consolidation options available to them provided no cost savings or no educational advantage. As a result, the voters turned down the consolidation plans. It makes no sense to penalize these school districts. Several are in areas of the state that are the most economically depressed.

We need to ask ourselves why are we penalizing these communities and what is the impact of our action? We have set up a situation where these communities could vote to consolidate and see their cost of education rise, therefore hurting kids. Or, they could decline to consolidate and save money only to see the State penalize their decision. Either way, kids and communities lose.

What is the goal of the consolidation? Are we trying to save money? Are we trying to improve education? I submit the consolidation effort was primarily promoted to save money. By any information available it has not achieved either goal.

I want this body to understand the impact, the pain and the anguish that we are visiting on some of our school districts in my House district.

First, SAD 4. The superintendent, in response to an article in the *Bangor Daily News*, made the following points in reaction to the quoted remarks of a member of this body's Appropriations Committee.

Let's compare SAD 4 with the school system that is in this Representative's district. SAD 4 covers 6 towns and 220 square miles and has a median family income of less than \$30,000.

SAD 4 has closed 4 small elementary schools seven years ago and will close 2 more in June. Closing these beautiful

schools is agonizing work for a community. The closing of these two schools will result in 700 students being housed in 2 buildings and save a documented \$375,000.

SAD 4 has several cooperative arrangements to save money with adjacent school districts. They share Special Education Services with SAD 68, provide transportation services to School Union 60, and their Piscataquis Valley Adult Education Cooperative serves 18 towns and is being used as a model for efficiency both in Maine and nationally.

SAD 4 has a vibrant staff and its use of technology is acclaimed by our own Department of Education.

SAD 4's budget is 5% over the 100% EPS mark, that which the Department of Education has determined to be the minimum adequate amount for students to achieve the learning results.

Now let's look at the school system in the other Representative's district and you will be able to understand the frustration our consolidation efforts have caused for some of our school leaders in rural areas.

This RSU has three towns in an area much more compact than SAD 4 with a median family income of \$52,000. Before consolidation the major town in this RSU spent \$3,135 more per pupil than SAD 4. That would amount \$40,775 in a 13 year public education career. The budget for this new RSU is a shocking 33% over the EPS mark. Per pupil system administration cost in this RSU are 24% higher than SAD 4. Per pupil building administrative costs are 74% higher.

The Superintendent sums up my feeling exactly in his OPED and I quote: "How on Earth could anyone with a shred of common sense suggest that it would be even remotely appropriate for SAD 4 to send penalty money to units like this all over Maine that obviously have tremendous financial resources? It is shameful. Period. Particularly when the state is not even coming close to its obligation in General Purpose Aid."

I have another example, equally compelling, that I have provided to your desk from the Special Education Director of SAD 41. If you read it you will hear the hurt, the frustration and yes the disgust in her words.

I have never been more certain of the "rightness" of an action as I am with this one. It is clear to me. If it is not to you then it is my failing for not being able to articulate it correctly. I ask that you do the right thing and approve this amendment.

Representative **CAIN** of Orono moved that **House Amendment "B" (H-796) to Committee Amendment "A" (H-790) be INDEFINITELY POSTPONED.**

The **SPEAKER**: The Chair recognizes the Representative from Orono, Representative Cain.

Representative **CAIN**: Thank you, Madam Speaker. Madam Speaker, I applaud the Representative for his passion and his consistency on this issue. This issue has simply been considered by the Education Committee earlier this session. In fact, it was a Minority Report that this House did not accept last week, I believe it was on Friday, and I certainly look forward in the future to working with the Representative on any opportunity to continue to improve the school district reorganization law. With that, I ask for support of a motion to Indefinitely Postpone. Thank you.

Representative **DAVIS** of Sangerville **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "B" (H-796) to Committee Amendment "A" (H-790).**

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The **SPEAKER**: The Chair recognizes the Representative from Chapman, Representative Sutherland.

Representative **SUTHERLAND**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. My colleague on the Education and Cultural Affairs Committee, I think, expressed his frustration very well. I think he made his message. But I need to back up just a little bit.

I have served with 12 great folks on the Education and Cultural Affairs Committee for the past two years. It's kind of bittersweet in a way that although I'm really excited to be getting done next week, I think in another way I'm going to miss all those folks. We have spent hours talking about exactly the issues that have been before us, equal quality of education for all the children in the State of Maine. Equal quality of education, and how do we do that? People have been struggling in this state for a long time. We know that every child is entitled to a free and appropriate public education and we would like it to be of equal quality for all our kids. And that's what we focused on and sometimes we take a bend but come back to that. We have, and I know it's not appropriate to talk about other pieces of legislation so I will not, but we have worked to try to provide the means to get at the issue before us that my colleague from the southern part of paradise so aptly discussed just a few minutes ago. Although I understand the problem, we have ways; we have a mechanism that we're going to be looking at it. We are fortunate to have the services of MEPRI, the Maine Educational Partnership Research Institute, that will be looking at a lot of those issues so that we can address them in the broad picture. Even though it was well expressed, I thank all of the colleagues on my committee that have worked so hard and are moving us forward into the future in terms of equal educational opportunities for all kids. I ask you to follow my light. Budget language is not the place to be making significant public policy changes to education. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Brewer, Representative Celli.

Representative **CELLI**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I have to agree with my colleague behind me. The situation in Brewer is that to pay for additional salaries within the combined units and to pay the Brewer taxpayers' share of sending students to other high school other than the Brewer High School, because those communities that have school choice, the Brewer taxpayers are going to have to have an increase in their taxes to cover \$800,000. It's easier for them to stay out of it and it's cheaper to pay the penalty. Why are we penalizing our schools anything? This was supposed to save money. It's not saving money for the citizens of Brewer. It's not helping our students. It's not increasing their education one bit, it's decreasing it. So I urge you not to support the resolution to stop this amendment. Thank you.

The SPEAKER: The Chair recognizes the Representative from Sangerville, Representative Davis.

Representative **DAVIS**: Thank you very much, Madam Speaker. I just wanted to rise and speak briefly. My colleague here on my left, appropriately so I might add, is absolutely right about what he had to say when he got up and offered his amendment. When he talked about SAD 4, he spoke to my heart because I know an awful lot about SAD 4. The six small towns has 18 members on their school board and I was privileged to be their chairman for five years. It's a very vast school district. It's very rural. There's far more moose and deer than there are people to say the least.

A number of years ago when the Maine Educational Assessment Tests were beginning, and after they'd been in place for a year or two, our kids weren't doing very good and I asked one of the superintendents to be, he was at that time the principal

of the school, why we weren't doing better. He said to me, well, you know, they're the children of woodcutters and mill workers and you can't expect too much. Well had I had the power, I would have fired him right on the spot. I was disgusted with him. The next year Piscataquis Community High School was number two in the State of Maine in mathematics, and that year we were on the bottom of per capita funding for the kids, on the bottom, but they were number two, number two in math. Don't tell me that the children of mill workers and cord cutters can't do it. That's bologna. It's absolutely bologna. SAD 4, this year, is closing two schools, the little school in Parkman, the little school in Guilford. My granddaughters go to the school in Parkman and they're closing it. While I was on the school board, we rebuilt the school in Parkman and we built a state of the art facility, and we rebuilt the primary school in Guilford and we built a state of the art facility, and now we're closing it. Funding, no money, no nothing. This last Saturday in the town of Sangerville, they voted to tear down the school that was closed a number of years ago. They're going to tear that one down. Guess what folks? They're going to be punished. They're going to be punished because they voted the way they wanted to instead of the dictates of Augusta. Follow my light. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Whiting, Representative Burns.

Representative **BURNS**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I rise not to support the motion to Table but to support the Amendment that the good Representative from Greenville offered. I just want to say a couple of things about this. I realize we've been discussing this now for it seems like ions, but there's a couple of important things. This is a law, a very unpopular law for school consolidation that we're trying to make fit over the entire state, and I'm sorry it doesn't fit everybody. Two particular aspects of it really concern me. When a school finds no cost savings and they find no educational value to it and they're struggling to keep their schools open as it is, and I have the same issues in my area as the Representative from Greenville does. When you close a school down because there's no funding left and you have to transport those kids 35, 40 miles on the worst roads in the state, these are issues. This should be about what is best for the kids. Until the state starts to meet its obligation and its pledge to fund schools at 55 percent, I think we can find it in our hearts to make some exemptions and special considerations for schools that are doing their very best to stay open. My folks are fishermen, lobstermen, clambers. They deserve the same chance as anybody else. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Blue Hill, Representative Schatz.

Representative **SCHATZ**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I guess this is my "let my people go" speech. As you know, four years ago when this school consolidation appeared in the budget, I was one of 29 of us that voted against it, and we fought the good fight to try to make the legislation more suitable to our schools. And penalties were a big feature and a feature that never went away. We did have a reprieve, yes, for one year. But now that the ground is clear and the way is clear to go forward, I feel that these penalties should also go away. I oppose the present motion and hope you would follow my light. Thank you.

The SPEAKER: The Chair recognizes the Representative from Dennysville, Representative McFadden.

Representative **McFADDEN**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I didn't plan to rise on this issue, but I need to support Representative Johnson's amendment. I think each and every person in this

House needs to stop and think, do I have a district or do I have a town within my district that's being penalized, and if you have a town or a district inside of your district that is being penalized, you need to think twice before you vote to Indefinitely Postpone this amendment. Thank you very much, Madam Speaker.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "B" (H-796) to Committee Amendment "A" (H-790). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 329

YEA - Adams, Beaudette, Beaudoin, Beck, Berry, Blanchard, Blodgett, Boland, Bolduc, Briggs, Bryant, Butterfield, Cain, Campbell, Carey, Casavant, Cleary, Cohen, Connor, Crockett P, Dill, Dostie, Driscoll, Duchesne, Eberle, Eves, Fiaherly, Flemings, Flood, Giles, Goode, Hanley, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Jones, Kaenrath, Kent, Knapp, Kruger, Lajoie, Legg, Lovejoy, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Miller, Millett, Morrison, Nelson, Nutting, Pendleton, Peoples, Percy, Perry, Peterson, Pih, Pilon, Piotti, Priest, Rankin, Rotundo, Russell, Sanborn, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Tardy, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Webster, Welsh, Wheeler, Wright, Madam Speaker.

NAY - Austin, Ayotte, Beaulieu, Bickford, Browne W, Burns, Cebra, Celli, Chase, Clark H, Clark T, Cotta, Crafts, Cray, Crockett J, Curtis, Davis, Eaton, Edgcomb, Finch, Fitts, Fletcher, Fossel, Gifford, Gilbert, Greeley, Hamper, Harvell, Johnson, Joy, Knight, Langley, Lewin, MacDonald, McFadden, McKane, McLeod, Nass, O'Brien, Pinkham, Plummer, Pratt, Prescott, Richardson D, Richardson W, Robinson, Sarty, Saviello, Schatz, Sykes, Theriault, Thibodeau, Thomas, Tilton, Weaver, Willette.

ABSENT - Cornell du Houx, Cushing, Rosen.

Yes, 92; No, 56; Absent, 3; Excused, 0.

92 having voted in the affirmative and 56 voted in the negative, with 3 being absent, and accordingly House Amendment "B" (H-796) to Committee Amendment "A" (H-790) was **INDEFINITELY POSTPONED**.

Representative JOHNSON of Greenville **PRESENTED House Amendment "A" (H-794) to Committee Amendment "A" (H-790)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Greenville, Representative Johnson.

Representative JOHNSON: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. This amendment is trying to correct one of the shortfalls in our funding formula for schools. We have another committee bill, and I should say that I have been pleased this year to be a member of the Education Committee. I think the Education Committee has done a lot of good work and I think highly of all members of the committee. You will see later LD 551, which is the committee bill to make some adjustments to the Essential Programs and Services funding formula. It is a long term approach. This amendment is designed to correct and easily identify part of the problem. General Purpose Aid to education to local school districts is made up of two elements.

First, is the EPS funding formula. This is a complex formula that tries to set a minimum expenditure that each school district should expect to pay to provide the resources necessary to meet the Maine Learning Results. It should be understood, that this is a minimum estimate, and doesn't account for full funding for all elements that we commonly include as necessary activities of a school district. Roughly 85% of school districts exceed the EPS formula calculated amount. This indicates to me that the vast majority of school districts are attempting to provide the

resources necessary to run their schools. This being said, I believe that many of the variables in the EPS formula were arbitrary or based on educated guesses at the time of its inception. Other variables were based on data that has grown old and to change it now would result in winners and losers. The older these data elements get, the less relevant they become. This causes many significant problems. Perhaps most importantly, many of these variables in the EPS formula do not have a clearly defined educational purpose. Therefore, aspects of the formula are not defensible. Hopefully, LD 551 will address this part of the problem.

The second element is the fund distribution part of the process that was implemented as a result of LD 1 passed by the Legislature in 2005. I would like to point out in reaction to a comment previously that educational policy doesn't belong in the budget, but that's where it started out. LD 1 established funding caps for municipalities and caps that were implied for school districts. It is this aspect of our system of providing General Purpose Aid that is responsible for much of the wild and uncontrolled variation in GPA support to communities and, in my opinion, is a leading cause of the inability of many communities to consolidate school systems. The level of state GPA support relies heavily on a community's valuation to determine the percentage of the state's contribution of the EPS formula generated cost of education. When schools that are trying to consolidate have wide differences in valuation it becomes extremely difficult for these communities to reach an equitable sharing of the cost of a consolidated district. The realities of the valuation process often results in significant and changing variations in valuation among member communities of a school district. This results in cost shifts. We have seen many cases of communities that consolidated only to find out that the allocation of the GPA changes substantially. Many now wish they could undo the consolidation they agreed to a few short months ago.

My amendment addresses a situation of unfairness that results in communities that are anomalies in our large system of General Purpose Aid allocation. They are communities that have poverty levels above the state average yet receive minimum GPA subsidy from the State. The structure of the amendment defines the eligibility as: the school administrative unit is a minimum receiver pursuant to the appropriate statute, the school administrative unit's percentage of economically disadvantaged students are above the state average, and the school administrative unit must actually operate a school.

The amount of the adjustment is the difference between the state share of the allocation and the amount computed as the school administrative unit's allocation for economically disadvantaged students, which the appropriate statute specifies the percentage currently of special education funds that a minimum receiver actually receives. This percentage is scheduled to be 35% in the school year 2011-12. This amendment adds to the 35% of special education costs, currently provided to minimum receivers, an equal 35% of the amount calculated by the EPS formula for disadvantaged students only for those minimum receiving school districts that operate a school that has a disadvantaged student population above the state average.

If this amendment had been in effect this year it would have benefited 7 small school districts with high levels of poverty and involved a cost shift of \$162,796, roughly \$20,000 per district. I request your support of this amendment that would become effective in 2011-2012. Thank you very much.

Representative CAIN of Orono moved that **House Amendment "A" (H-794) to Committee Amendment "A" (H-790) be INDEFINITELY POSTPONED**.

The SPEAKER: The Chair recognizes the Representative from Orono, Representative Cain.

Representative **CAIN**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I am happy to stand before you and say that this budget, which this amendment proposes to address, does not include any changes to the Essential Programs and Services formula. That was the resounding message that we heard from every superintendent that came before us during the public hearings and in the work sessions that followed. They said, this is not the time to adjust the formula. The way the money was pulled out of the formula in the proposed cuts is exactly the way it should be restored. I am very glad that there are not changes to the Essential Programs and Services formula in this budget. I'm glad that that work remains with the Education Committee.

I would also add that when changes are made to the EPS formula, there is a ripple effect across the entire allocations to every district across the state. When you adjust one part, it either takes away or adds to everybody else's. I feel comfortable and confident, Madam Speaker, that this budget, without this amendment, responsibly restores the funding that was set to be cut in the exact same way it was pulled out in the first place. Thank you, Madam Speaker.

Representative **JOHNSON** of Greenville **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "A" (H-794) to Committee Amendment "A" (H-790)**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Chapman, Representative Sutherland.

Representative **SUTHERLAND**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. Very briefly, I totally understand the problem my colleague was talking about; however, as he referenced, there is a better vehicle by which to look at the entire funding formula. As the good chair of the Appropriations Committee pointed out, once you tweak one piece, it's like dominos and so it has to be all looked at together. So I would encourage you please to follow my light. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "A" (H-794) to Committee Amendment "A" (H-790). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 330

YEA - Adams, Beaudette, Beaudoin, Beck, Berry, Blanchard, Blodgett, Boland, Bolduc, Briggs, Bryant, Butterfield, Cain, Carey, Casavant, Cleary, Cohen, Connor, Cornell du Houx, Crockett P, Dill, Dostie, Driscoll, Duchesne, Eberle, Eves, Finch, Flaherty, Flemings, Flood, Goode, Hanley, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Jones, Kaenrath, Kent, Knapp, Kruger, Lajoie, Legg, Lovejoy, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Miller, Millett, Morrison, Nelson, Nutting, O'Brien, Pendleton, Peoples, Percy, Perry, Peterson, Pieh, Pilon, Piotti, Pratt, Priest, Rankin, Robinson, Rotundo, Russell, Sanborn, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Sykes, Tardy, Theriault, Tilton, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner R, Watson, Webster, Welsh, Wheeler, Willette, Wright, Madam Speaker.

NAY - Austin, Ayotte, Beaulieu, Bickford, Browne W, Burns, Cebra, Celli, Chase, Clark H, Clark T, Cotta, Crafts, Cray, Crockett J, Curtis, Davis, Eaton, Edgecomb, Fitts, Fletcher, Fossel, Gifford, Gilbert, Giles, Greeley, Hamper, Harvell, Johnson, Joy, Knight, Langley, Lewin, MacDonald, McFadden, McKane, McLeod, Nass, Pinkham, Plummer, Prescott,

Richardson D, Richardson W, Sarty, Saviello, Schatz, Sykes, Thibodeau, Thomas, Tilton, Wagner J, Weaver.

ABSENT - Campbell, Cushing, Rosen.

Yes, 96; No, 52; Absent, 3; Excused, 0.

96 having voted in the affirmative and 52 voted in the negative, with 3 being absent, and accordingly **House Amendment "B" (H-794) to Committee Amendment "A" (H-790) was INDEFINITELY POSTPONED.**

Committee Amendment "A" (H-790) as Amended by House Amendment "C" (H-798) thereto was ADOPTED.

Under suspension of the rules, the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on Bills in the Second Reading.

Representative **TARDY** of Newport **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED as Amended.**

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: A roll call has been ordered. The pending question before the House is Passage to be Engrossed. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 331

YEA - Adams, Beaudette, Beaudoin, Beaulieu, Beck, Berry, Blanchard, Blodgett, Boland, Bolduc, Briggs, Browne W, Bryant, Butterfield, Cain, Carey, Casavant, Clark H, Cleary, Cohen, Connor, Cornell du Houx, Cotta, Crockett P, Curtis, Dill, Dostie, Driscoll, Duchesne, Eaton, Eberle, Eves, Finch, Fitts, Flaherty, Flemings, Flood, Fossel, Gilbert, Giles, Goode, Hanley, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Jones, Kaenrath, Kent, Knapp, Kruger, Lajoie, Langley, Legg, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Miller, Millett, Morrison, Nelson, Nutting, O'Brien, Pendleton, Peoples, Percy, Perry, Peterson, Pieh, Pilon, Pinkham, Piotti, Pratt, Priest, Rankin, Richardson D, Robinson, Rotundo, Russell, Sanborn, Schatz, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Sykes, Tardy, Theriault, Tilton, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Webster, Welsh, Wheeler, Willette, Wright, Madam Speaker.

NAY - Austin, Ayotte, Bickford, Burns, Cebra, Celli, Chase, Clark T, Crafts, Cray, Crockett J, Davis, Edgecomb, Fletcher, Gifford, Greeley, Hamper, Harvell, Johnson, Joy, Knight, Lewin, McFadden, McKane, McLeod, Nass, Plummer, Prescott, Richardson W, Sarty, Saviello, Thibodeau, Thomas, Weaver.

ABSENT - Campbell, Cushing, Rosen.

Yes, 114; No, 34; Absent, 3; Excused, 0.

114 having voted in the affirmative and 34 voted in the negative, with 3 being absent, and accordingly the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-790) as Amended by House Amendment "C" (H-798) thereto and sent for concurrence. ORDERED SENT FORTHWITH.**

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH.**

BILLS IN THE SECOND READING

Senate as Amended

Bill "An Act To Promote the Establishment of Innovative Schools" (EMERGENCY)

(S.P. 706) (L.D. 1801)

(C. "A" S-455)

Was reported by the Committee on Bills in the Second Reading and **READ** the second time.

I also feel that this decision to do this was not made by the 186 legislators in this Legislature. I think it was made by a small number, if that number's even plural, I'm not sure. But I just want to make that statement because I think it affects all of us and I don't think that it's right. One response I was told, well, you can always put out a joint order. Well, I know of at least two joint orders that have come before this body in the last few weeks that have been denied in the other body, so I just have to make that statement. I do want to Recede and Concur because that's our choice at this point, but thank you very much for listening.

Representative PRATT of Eddington REQUESTED a roll call on the motion to **RECEDE AND CONCUR**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Eddington, Representative Pratt.

Representative PRATT: Thank you, Madam Speaker. I could not agree more with my good chair. I don't think it's right. It's another example of the whittling down of an already remarkably and exponentially whittled down bill, and we do have a choice. We have a choice where we can tell the other body that it's unacceptable and we're not going to do. I personally would like the opportunity to say that. So I request a roll call. I've been ensured by a lot of the stakeholders that have been involved in this that nothing is going to be held against you if you come here and you stand up for what's right in this matter and you stand up for a good bill. So please, please, I suggest that we say no and we do the right thing. Thank you.

The SPEAKER: The Chair recognizes the Representative from Skowhegan, Representative McCabe.

Representative McCABE: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I stand today in support of the pending motion. I guess frustration comes to my mind, but also frustration for our grower community, our grower community that is in limbo waiting for us to pass something out of this body and finish with this for this session. So that's all I have to say.

The SPEAKER: A roll call has been ordered. The pending question before the House is to Recede and Concur. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 334

YEA - Austin, Ayoitte, Beaudette, Beaudoin, Beaulieu, Beck, Berry, Bickford, Blanchard, Bolduc, Browne W, Bryant, Burns, Cain, Carey, Casavant, Celli, Chase, Clark H, Clark T, Cleary, Cohen, Connor, Cotta, Cray, Crockett J, Crockett P, Curtis, Davis, Dill, Dostie, Driscoll, Duchesne, Eberle, Edgecomb, Eves, Finch, Fitts, Flemings, Fletcher, Flood, Fossil, Gifford, Gilbert, Giles, Greeley, Hamper, Hanley, Harlow, Harvell, Haskell, Hill, Hinck, Hogan, Hunt, Johnson, Knight, Langley, Legg, Lewin, Lovejoy, MacDonald, Mazurek, McCabe, McFadden, McKane, McLeod, Miller, Millett, Morrison, Nass, Nelson, Nutting, Pendleton, Peoples, Perry, Peterson, Pieh, Pilon, Pinkham, Piotti, Plummer, Prescott, Priest, Rankin, Richardson D, Richardson W, Rotundo, Sanborn, Sarty, Sirois, Smith, Strang Burgess, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Thomas, Tilton, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Weaver, Webster, Welsh, Wheeler, Willette, Madam Speaker.

NAY - Adams, Blodgett, Boland, Briggs, Butterfield, Campbell, Cornell du Houx, Crafts, Eaton, Flaherty, Goode, Hayes, Innes Walsh, Jones, Kaenrath, Kent, Knapp, Kruger, Lajoie, Magnan, Martin JR, Martin JL, O'Brien, Percy, Pratt, Russell, Saviello, Schatz, Shaw, Stevens, Stuckey, Watson, Wright.

ABSENT - Cebra, Cushing, Joy, Robinson, Rosen.

Yes, 113; No, 33; Absent, 5; Excused, 0.

113 having voted in the affirmative and 33 voted in the negative, with 5 being absent, and accordingly the House voted to **RECEDE AND CONCUR**.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

The House recessed until 3:45 p.m.

(After Recess)

The House was called to order by the Speaker.

The following item was taken up out of order by unanimous consent:

ENACTORS

Emergency Measure

An Act Making Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2010 and June 30, 2011

(H.P. 1183) (L.D. 1671)

(H. "C" H-798 to C. "A" H-790)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the Representative from Orono, Representative Cain.

Representative CAIN: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. The first time the Appropriations Committee laid eyes on LD 1671 was on Friday, December 18, 2009, more than three months ago. It came on the heels of six months of ultimately unanimous work by the committee on the so-called streamlining bill and before the biennial budget we all enacted last session was even six months underway. In its original form, the bill before us addressed a \$438 million shortfall. On December 18th and in the weeks that followed of public hearings and policy committee work sessions, it was clear to me that the budget, as presented, was not a budget that any one of us could have supported.

At the beginning of January we had no idea that within two months we would have a \$51 million revenue bump from the Revenue Forecasting Committee, an additional \$26 million from a federal rule change in the American Recovery and Reinvestment Act, and even more funds than we originally anticipated from a six month extension of the Recovery Act enhanced Medicaid rate, because we did not know these resources were pending. It enabled us, as a committee and as a Legislature, to focus on what was the worst of the worst in the budget before us.

Together we prioritized restoring funds to municipalities and put \$11 million back into Municipal Revenue Sharing. Together we prioritized K-12 education and restored \$25 million to General Purpose Aid to Education for next year. Together we prioritized higher education and eliminated cuts in FY'11. Together we prioritized Maine's natural resource agencies, rejecting the proposal in the original budget to move towards consolidation. Together we also prioritized the most vulnerable in our society and worked with great help from the members of the Health and

Human Services Committee to eliminate the worst cuts and simultaneously seek structural changes that will slow the growth of ever-growing costs in the Department of Health and Human Services. We eliminated the waitlist for waiver services for people with development disabilities, and we preserved a system of support for those with mental illness. We came together on what mattered most and with a conscious eye on what is likely to come in the next biennium, additional shortfalls and the disappearance of federal Recovery Act funds that will challenge our state to continue difficult conversations about how we fund the things we care about. But nothing in this building is the result of one individual's action. There are no singular actors in anything we do and don't believe anyone who tells you differently. It is the work of the collective, and on the whole, that leads to the very best work that we can offer the people of the State of Maine.

The Appropriations team extends well beyond the 13 outstanding members of the committee, and so I offer great thanks and deep gratitude to the staff of the Office of Fiscal and Program Review, in particular, Maureen Dawson and Grant Pennoyer, and to our committee clerk, Diane Pruett. I also offer my thanks to the Revisor's Office for turning our work around so quickly and efficiently into a product that we can use. Thank you to all of you and to your policy committees for being a true partner with the Appropriations Committee in our work. The final package is the culmination of your work aligned with ours. I'd like to thank the Chief Executive for having the wisdom to appoint such strong commissioners that were key to this process and the end result, particularly Commissioner Susan Gendron and Commissioner Brenda Harvey. Both showed and offered immense leadership and willingness to meet the policy committees and Appropriations Committee more than halfway. Especially to Commissioner Harvey, thank you on behalf of the committee and the hundreds of providers and consumers of vital services across the state who you listened to and responded to in a meaningful way.

The fourteenth and fifteenth members of the Appropriations Committee are the Department of Administration and Financial Services Commissioner Ryan Low, and State Budget Officer Ellen Schneider, both of whom are in the gallery today, Madam Speaker. Ellen knows every line of the budget and keeps track of our every move to make sure that we don't get off track. And to Commissioner Low, I offer personal thanks as well as thanks from the committee. You are a true leader and you understand that relationships matter and, in this building, that your word and your work are all you have to offer. Thank you for being part of our team and for, at many times, being the bridge that helped us overcome the divide.

I would also like to thank you, Madam Speaker, and all the members of leadership on both sides of the aisle and on both ends of the hallway for your support of the committee process. I know it can be frustrating to be patient but you were, and the work of the committee blossomed as a result. Thank you for trusting us.

On a personal note, Madam Speaker, I need to thank the incredible members of the Appropriations Committee. Each one has challenged me personally to think bigger and broader about the work we do, and every single member brought their differing personalities, philosophies and passions to the table in a spirit of compromise and negotiation that led to the unanimous report before us today. That is not easy and it is not an accident. It takes hard work, long hours and a shared commitment by all.

I'd especially like to acknowledge the Representative from Waterford, Representative Millett, for his willingness to always have the conversation with me and to always work to find a way.

The two of us, in partnership with the Senators from Cumberland and Penobscot in the other body, maintained an open dialogue that saw us through the stickiest moments. To say I've learned a lot from the three of them may be the greatest understatement of all.

I may have gone on too long, but it's just so hard to describe how satisfying it is to have finally arrived at today. Even me, the eternal optimist, had moments of worry that a bipartisan result was not possible, but here it is. And so Madam Speaker, I am proud to stand before you today and tell you without hesitation that this budget, which reduces state spending by \$310 million, is the unanimous result of an intense committee process that puts Maine in a strong position to face what will be tough years ahead, and it is without hesitation, Madam Speaker, that I ask for your support and the support of every member of this body in Enacting this bill today. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Madam Speaker. I'm very proud today to stand in favor of the pending motion as well and proud in particular of the bipartisanship that has been exhibited, both by members of leadership and, in particular, by members of the Appropriations Committee, which put this budget together and voted for it unanimously. I think this is a balanced beginning to the work of picking up the economic pieces from the recession that we, in Maine and in all states, are in today. It's a start to the important work of sweeping up the broken chards of our national economy, a start to strengthening our safety net again, and a start to strengthening our economy. That work has only begun with this budget. I have a special appreciation for the Commissioner of Finance Ryan Low, and I am deeply aware, too, of his advice that the next two-year budget could be just as challenging, if not more so. I hope that he is here in some way to continue to work with us through that process, because we will continue, those of us who return, and we will step it up. We will work together as all of the policy committees and the leaders and the Appropriations Committee have done, and to use a term that my friends across the aisle are fond of, we will continue to act structurally and systematically in tackling these challenges. This budget is responsible. It takes strong steps to move us down the road to restored prosperity. So I want to commend the committee and my colleagues on both sides of the aisle. I look forward to a strong vote in favor of this budget on Final Enactment, and Madam Speaker, when the vote is taken I request that it be by the yeas and nays.

Representative **BERRY** of Bowdoinham **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Waterford, Representative Millett.

Representative **MILLETT**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I'd like to at the outset echo the words of my good House chair in reiterating the thank yous that she extended to all of the people that made our job over the last three and a half months much easier than it might have otherwise been. A particular thanks to her and her co-chair, the Senator from Windham, and to the four of us assisting me on the Republican side, Representatives Nutting, Flood and Robinson, and my co-lead Senator Rosen. I'd also extend thanks to the other members on the other side of the aisle of the committee. As a group of 13, we obviously have not always agreed on every issue. We certainly never will, we have different philosophies, but we worked extremely well together. I would like to reiterate Representative Cain's comments about

Commissioner Ryan Low, who was not only ever present and knowledgeable about each and every issue we posed to him on the spur of the moment, day in and day out, six days a week often, well into the evening, but very responsive to me and my caucus. And I want to acknowledge that it would not have come to this point, in my view, of a unanimous budget had we not been able to secure the kind of responsive feedback and adjustments to the budget that we presented on many occasions to Commissioner Low.

I still have some heartburn about the budget because it's not perfect, and my caucus has trepidations about it as well. I'd just like to share a few of those concerns without elaborating on them in great length. There is still a concern, and Representative Cain alluded to it, that we have used too much one-time money to get us to this point, and that is certainly true. No matter how you look at it, we made the best of what we had available, but we did utilize a lot of what we called American Recovery and Reinvestment Act moneys that are one-time, will run out for the part at the end of the calendar year, but some at the end of the biennium, and they will leave us with what I guess I would call a structural gap, although it hasn't been quantified, for the next biennium that will exceed a billion dollars easily, in my view. And this is a point that I've made repeatedly within my caucus that, yes, we do have a budget, but we have difficulties ahead of us, and I think it's important that we all acknowledge that we drew down \$166 million of one-time budget stabilization and working capital funds. We've really utilized more than \$800 million of ARRA moneys. We've actually avoided as much as \$300 million or more of what could have been retirement fund increased requests due to their asset losses in calendar 2008 had they known about it when the budget was submitted.

So we do have a lot of work ahead of us. I think we acknowledge that that's going to create problems on a couple of programs that are particularly sticky for members of my caucus, namely Revenue Sharing and General Purpose Aid, because we will be looking at baseline numbers and lower revenues as we go into the '12-'13 biennium that will trouble many people at the municipal level and cause heartburn among our constituents as they adopt local and municipal and school budgets. But I think that we can manage, and I think that the progress that we've made in reducing the size of government, to some extent, will bode well in the future.

Representative Cain mentioned well over \$200 million of General Fund reductions, more than half of what we had to accomplish will be structural and ongoing. We've made reductions in the Personal Services lines, for example, of 75 positions, with more than 250 vacant lines that are as a result of the early retirement incentive that was offered last August, and these positions will remain vacant through the biennium and certainly would be appropriate positions to be looked at in the next biennial budget. Our Personal Services funding on the General Fund side, for example, will be less in '11 than it was in 2008, and I keep coming back to the General Fund because it often appears to dome that all of these funds together reflect a government that's not really shrinking in total magnitude but simply pushing funds away from the General Fund and sometimes to the local level or to the institutions that rely on our funding. But the General Fund is our focus, it has to be. It is the sum and substance of what our deficit started out to be and what we had to achieve in rebalancing the budget. Every cost center that we focused on was touched, maybe not in exact proportion to what existed in their funding level to begin with and where we ended up, but every single cost center has been touched, and that is, I think, the only way you can look at a budget of this magnitude with the gap that we faced.

So in the end, it is certainly not a perfect budget, but it is a product that I think reflects caucus input, the wishes of many of us and the work of many of us and the supporters, including our leaders, who have helped us get to this point. So I'm comfortable with and pleased to offer my support for Final Enactment of this product. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bremen, Representative Pieh.

Representative **PIEH**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. As the House chair of a committee that oversees two departments of the state, of course those two departments don't equal a little thumbnail of Education or Health and Human Services, I want to make public what I think we've made private, many of our committee members, to members of the committee and thank them for their work. It's the first time that I've felt so completely included when we came and reported back on what we thought in this difficult budget. Not only were we listened to, we were asked a lot of questions, a lot of intense questions, and we went back and brought back our answers and that was listened to again, and we were responded to in every single case with great respect, listening and actual action on our input, which hasn't always happened to me in this Legislature. I just wanted to say that and thank them so much for their hard work. Because if they work that hard on two departments that don't add up to more than a percent or two of the entire budget, I know how hard they have to have worked on committees like Education and Health and Human Services. So on behalf of our committee, I thank you very much.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Rotundo.

Representative **ROTUNDO**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I, too, want to echo the appreciation that the Representative from Orono, Representative Cain, has already expressed to all who have worked on this budget over the past months. I also want to extend my special thanks and heartfelt thanks to my colleagues on the Appropriations Committee, whose willingness to work diligently and respectfully to find common ground enabled us to vote out a unanimous bipartisan agreement. It has been an honor to serve with all these legislators. Thank you also to our excellent Appropriations Committee leadership, our chairs and Republican leaders, whose work was critical in getting us to where we are today. We, as legislators, are all sent here by our constituents to solve problems and to govern. My colleagues on Appropriations did just that with a budget bill before you. I hope you will join me in voting to Enact LD 1671. Thank you.

Representative MILLETT of Waterford assumed the Chair.
The House was called to order by the Speaker Pro Tem.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Winthrop, Representative Flood.

Representative **FLOOD**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I'm not going to speak much on the technical aspects of the bill, our speaker did that very well for us. I would like to reflect on the work done on LD 1671 by members of this body over the past several months. I'd like to begin by thanking all members of all committees for their ideas, their questions and their persistent work. You served the people well.

Having worked on four of these budgets now, clearly the most difficult aspect of building a budget is to maintain the essential

grounding and the concept that the state's General Fund budget is for all the people, not for the benefit of any one party or interest group or squeaky wheel. There are many influences that pull and tear at that concept and, often, for very, very legitimate reasons, and I have no quarrel with those wide-ranging sentiments. All voices should be heard and all voices are heard.

Moreover, my interest today is to simply give thanks to all the providers of all opinions on this complicated bill, and to give recognition to the very positive, hopeful and thoughtful leaders who have helped our committee, of course, in searching for the possibilities amongst the improbabilities and facing the hard realities ahead.

This may seem odd to some, but I do want to start by thanking the many prayer leaders who lead us in prayer each morning. Not the long-winded rambling prayers so much or the political ones, but most of the prayers are very, very refreshing messages each morning. They encourage us to put aside individual motivations and work together to listen to our colleagues before acting, and to remember who we are working for, all the people, and they challenge us to use our hearts and our minds to the fullest. I do listen to these prayers and these prayer givers. After all, they're a lot closer to God than I am, and God is probably listening to them so I figure maybe I ought to listen too. I thank them for their thoughtful guidance.

I also wish to thank all members of the AFA Committee, our staffs and the OFPR staffs for their assistance. In particular, I do want to thank the good Representative from Orono, Representative Cain, for her leadership and her enthusiasm. And I want to thank our Speaker Pro Tem from Waterford, Representative Millett, for his knowledge, his wisdom, photographic memory and his communication skills. They demonstrate by their actions that which others only speak about or aspire to be like. Thanks also to Budget Director Schnelzer and Commissioner Low for their patience and their skills.

Finally, I want to publicly recognize our state's Chief Executive for starting us on a reasonable and responsible path with his initial budget proposal to accomplish what we needed to accomplish without a general tax increase, and for encouraging us to stay on that path with three subsequent change packages. Leadership is often not easy nor popular. I believe that we're very fortunate to have a Chief Executive who faced head-on many of the state's difficult truths. That takes courage, and I appreciate that courage.

Leadership by our Executive, our caucus leaders, Representative Tardy and Representative Piotti, and our committee leaders helped us to develop a unanimous bill for your consideration today. As it's been said already, it's an imperfect document, we all know that, I wish we could have done better, and I hope that our final product is good enough for our people. In this process, we, all of us in this chamber, have had to make difficult and very disappointing decisions. That is our burden of leadership. That is our responsibility and we faced it and it hurt. We gave it our best shot, and I hope today you will consider this vote favorably. Thank you, Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative MARTIN: Thank you, Mr. Speaker. Mr. Speaker, Members of the House. As I was reflecting about what we've been through, I thought back about many years ago with the Representative from Waterford, then representing a different community in Maine, a different area, about how we went through some of the same issues many years ago.

I must tell you that when we were coming down, I was coming down earlier this year, and when I was driving through Bangor it really was the very first time in my legislative career that I was

thinking maybe of wanting to turn around, because I saw the challenge and the challenges we faced as being some of the worst that I had ever seen. And if I for a moment would have thought that today we'd be where we are, it certainly was different in my own mind because I never thought that we'd be able to achieve a unanimous committee report and to be able to walk out of the Appropriations Committee in the daytime for the first time in many, many years, and to also put together the partisanship that have occurred in some of the past budgets, and I think we've been very successful in accomplishing, I think, what a lot of people thought we couldn't do.

I agree fully with the Representative from Waterford that, frankly, we couldn't do everything. We didn't have enough money for GPA, we didn't have enough money for Revenue Sharing and many, many social programs that many of us would have wanted to accomplish and put more in. But we had to live within the available money that we had, and we've done that. For anyone who thinks that there is money left over, that we basically could have used to do more, frankly, it's not there, and I think that we went and we turned up every rock, especially the Representative from Winthrop, Representative Flood, who, time over and over again, he said, if you would let me do this, and we would say, go for it, and then all of the sudden \$20,000 would show up, \$30,000 the next day. And without that type of persistence, we never would have been able to put this budget together. To the staff, to the legislative staff, to the staff of the executive branch, quite frankly, that's the best work I've seen in many, many years for all of us being able to accomplish this goal today. I really wasn't going to speak, which is unusual and some of you will never believe that anyway, but I really had to say what I said because this has been a different time and I think something for which everyone in this body can be really proud, as well as the other body. Because I think without everyone participating, every committee being willing to work and make recommendations, we would never have accomplished this today. And I hope and I know that it won't happen, but I would like to see every light go green because I think we deserve a thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Calais, Representative Perry.

Representative PERRY: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Thank you, and thank you to the Appropriations Committee. We really had some tough decisions ahead of us over the last two years in terms of services to our most vulnerable, and for those who are losing their jobs and losing their insurance during this time of recession. It has been an honor to work with the Appropriations Committee collaboratively. We met together and tried to see what we could do to make the whole budget look good and also keep in mind those whom we serve.

I had the privilege of working on a hospital committee with Appropriations Committee members where we were working with providers, as well as other committee members, to come up with a system that not only would cost us less but work better. So I thank all who were involved in the process, my committee members, whom we all worked well together and also well with the Appropriations Committee to come up with a bill like this one that we can all live with, and I want to thank everybody for the hard work they've done with this.

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is Passage to be Enacted. All those in favor will vote yes, those opposed will vote no.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

ROLL CALL NO. 335

YEA - Adams, Beaudette, Beaudoin, Beaulieu, Beck, Berry, Blanchard, Blodgett, Boland, Bolduc, Briggs, Browne W, Bryant, Butterfield, Cain, Campbell, Carey, Casavant, Clark H, Cleary, Cohen, Connor, Cornell du Houx, Cotta, Crockett P, Curtis, Dill, Dostie, Driscoll, Duchesne, Eaton, Eberle, Eves, Finch, Fitts, Flaherty, Flemings, Flood, Fossel, Gilbert, Giles, Goode, Hanley, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Jones, Kaenrath, Knapp, Kruger, Lajoie, Langley, Legg, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Miller, Millett, Morrison, Nelson, Nutting, O'Brien, Pendleton, Peoples, Percy, Perry, Peterson, Pieh, Pilon, Piotti, Pratt, Priest, Rankin, Richardson D, Robinson, Rotundo, Russell, Sanborn, Schatz, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Tardy, Theriault, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Webster, Welsh, Wheeler, Willette, Wright, Madam Speaker.

NAY - Austin, Ayotte, Bickford, Burns, Celli, Chase, Clark T, Crafts, Cray, Crockett J, Davis, Edgecomb, Fletcher, Gifford, Hamper, Harvell, Johnson, Joy, Knight, Lewin, McFadden, McKane, McLeod, Nass, Pinkham, Plummer, Prescott, Richardson W, Sarty, Saviello, Sykes, Thibodeau, Thomas, Tilton, Weaver.

ABSENT - Cebra, Cushing, Greeley, Kent, Lovejoy, Rosen.

Yes, 110; No, 35; Absent, 6; Excused, 0.

110 having voted in the affirmative and 35 voted in the negative, with 6 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker Pro Tem and sent to the Senate. **ORDERED SENT FORTHWITH.**

The Speaker resumed the Chair.

The House was called to order by the Speaker.

The SPEAKER: The Chair recognizes the Representative from Millinocket, Representative Clark, and inquires as to why the Representative rises.

Representative **CLARK**: Thank you very much, Madam Speaker. Is the House in possession of LD 1536?

The SPEAKER: The Chair would answer in the affirmative, having been held at the Representative's request.

Representative **CLARK**: Thank you very much, Madam Speaker. Having voted on the prevailing side, I move that we Reconsider our actions where we insist and further move that this Item be Tabled until later in today's session.

Representative **CLARK** of Millinocket moved that the House **RECONSIDER** its action whereby Bill "An Act To Amend the Standards by Which Game Wardens May Stop All-terrain Vehicles when Operating on Private Property"

(H.P. 1080) (L.D. 1536)

VOTED TO INSIST.

The SPEAKER: The Representative from Millinocket, Representative Clark, moves that we Reconsider our actions whereby the House Insisted and further moves this Item be Tabled until later in today's session. Is this the pleasure of the House?

Representative Clark of Millinocket moved that the Bill be **TABLED** until later in today's session pending his motion to **RECONSIDER** whereby it voted to **INSIST** on **PASSAGE TO BE ENGROSSED as Amended by House Amendment "A" (H-759).**

The Chair recognizes the Representative from Sangerville, Representative Davis.

Representative **DAVIS**: Madam Speaker, I'd raise a Point of Order. Can this matter be Tabled in this posture?

The SPEAKER: The Chair would answer in the affirmative. The motion to Reconsider can be Tabled. Is it the pleasure of the House that this Item be Tabled?

The Chair recognizes the Representative from Sangerville, Representative Davis.

Representative **DAVIS**: I request a roll call.

Representative **DAVIS** of Sangerville **REQUESTED** a roll call on the motion to **TABLE** pending the motion of Representative **CLARK** of Millinocket to **RECONSIDER** whereby the House voted to **INSIST**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: A roll call has been ordered. The pending question before the House is to Table pending the motion of Representative Clark of Millinocket to Reconsider whereby the House voted to Insist. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 336

YEA - Adams, Austin, Beaudette, Beaudoin, Beaulieu, Beck, Berry, Bickford, Blanchard, Blodgett, Boland, Bolduc, Briggs, Browne W, Bryant, Butterfield, Cain, Campbell, Carey, Casavant, Chase, Clark H, Clark T, Cleary, Cohen, Connor, Cornell du Houx, Cotta, Cray, Crockett P, Dill, Dostie, Driscoll, Duchesne, Eaton, Eberle, Edgecomb, Eves, Finch, Flaherty, Flemings, Flood, Fossel, Gifford, Gilbert, Giles, Goode, Hamper, Hanley, Harlow, Harvell, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Jones, Joy, Kaenrath, Knapp, Knight, Kruger, Lajoie, Langley, Legg, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, McFadden, McKane, McLeod, Miller, Millett, Morrison, Nass, Nelson, Nutting, O'Brien, Pendleton, Peoples, Percy, Perry, Peterson, Pieh, Pilon, Pinkham, Piotti, Pratt, Prescott, Priest, Rankin, Richardson W, Robinson, Rotundo, Russell, Sanborn, Sarty, Saviello, Schatz, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Sykes, Tardy, Theriault, Thibodeau, Tilton, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Weaver, Webster, Welsh, Wheeler, Willette, Wright, Madam Speaker.

NAY - Ayotte, Burns, Celli, Crafts, Crockett J, Curtis, Davis, Fitts, Fletcher, Johnson, Lewin, Plummer, Richardson D, Thomas.

ABSENT - Cebra, Cushing, Greeley, Kent, Lovejoy, Rosen.

Yes, 131; No, 14; Absent, 6; Excused, 0.

131 having voted in the affirmative and 14 voted in the negative, with 6 being absent, and accordingly the Bill was **TABLED** pending the motion of Representative **CLARK** of Millinocket to **RECONSIDER** whereby the House voted to **INSIST** and later today assigned.

The following items were taken up out of order by unanimous consent:

SENATE PAPERS

Non-Concurrent Matter

Resolve, To Implement the Recommendations of the Juvenile Justice Task Force (EMERGENCY)

(H.P. 1204) (L.D. 1703)

(C. "A" H-708)

FINALLY PASSED in the House on March 29, 2010.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-708) AND SENATE AMENDMENT "A" (S-498) in NON-CONCURRENCE.**

The House voted to **RECEDE AND CONCUR.**

Emergency Measure

An Act Making Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2010 and June 30, 2011

H.P. 1183 L.D. 1671
(H "C" H-798 to C "A" H-790)

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Diamond.

Senator **DIAMOND:** Thank you, Madame President. Ladies and gentlemen of the Senate, I'm pleased and proud to present to the Senate and to this Legislature L.D. 1671, which of course is the Governor's Supplemental Budget. You may remember back in January of 2009 when we all came to the Legislature we were told about the falling revenues and how things were not looking good. The first thing this Committee had to do was to pass a \$140 million supplemental budget of cuts and reductions. That was the first two weeks. We were then given the task that the biennial budget which started on July 1st of the following July, needed \$569 million cut from it. We got that passed. Then, just before we left last spring, we had to come up with another \$129 million. Through the summer we had the task of finding \$30 million more to fill a hole, which was a directive from the budget itself. Then on January 10th when we came back we found out that we were looking at a \$438 million hole in our budget. This brought us from a \$6.3 billion budget down to about \$5.5 billion when we finished. I remember Madame President saying to me in January, 'Bill, we need to have this budget done by mid-March with no new taxes or fees, I'd like it to be bipartisan if we could, and by the way, try to make it unanimous.' The good news is that those were our goals as well. The Committee's goals as we talked and struggled through these times were clear all the way through. Fortunately that \$438 million was reduced down to \$310 million because of unexpected revenues and some monies coming back from the feds. But it was still no easy task. Someone said we went from the impossible to the improbable. We all felt that heavy burden along the way. We thanked Governor Baldacci time and again for his support in being there behind the scenes with us, because we knew what we had to do. We knew we had some painful cuts and we needed to have the Administration there with us. This budget had severe cuts, painful cuts. We cut monies to K-12. We cut monies to higher education, health and human service programs, revenue sharing, and almost every state agency took cuts as well. In spite of these cuts we will continue to provide health care to the neediest Mainers in our state, schools will continue to provide quality education, Maine natural resources will be protected, and public safety will still be strong. By working with the Governor, especially the policy committees, and all of you, we made structural changes that will be ongoing. We eliminated some waste, and we reduced the size of government. We also did some other things that we really felt we had to do and we ended up being able to do. We made some restorations. We restored \$25 million to K-12 education. We restored \$500,000 to adult education. We restored \$8 million to higher education, and \$11 million to revenue sharing. We restored human service programs for children, \$1.3 million to the children's mental health services, and \$4.4 million to Medicaid programs for children dealing with

mental health. We've minimized cuts to senior citizens. We eliminated cuts to psychiatric hospital services. We made complete restoration of funding of home health services, hospice services and homemaker services. We restored full funding to the critical care hospitals and full funding to the MaineCare nursing homes. We eliminated the pushes, and we put back \$7 million into the Rainy Day Fund. We did this, ladies and gentlemen, with no new taxes and no new fees. That I think is a tribute to the Committee and to everybody who helped us. My co-chair, Representative Cain, worked tirelessly with skill and common sense well beyond her years. The good Senator from Androscoggin, Senator Craven, had an eye to watch every line in this budget, and it seemed like nothing got by without her approval. The Senator from Hancock, Senator Rosen, brought a level of sophistication, an academic approach mixed with well-placed humor. We were blessed with Representative Millet, who brought with him years and years of experience understanding this budget. The rest of the Appropriations and Financial Affairs Committee members were outstanding. Their dedication and tireless hours of 11 and 12 hour hearings and work sessions, never giving up. Governor Baldacci again receives our thanks for his support of always being there. Ryan Lowe and Ellen Schneider, who were in our Committee every single day, every minute of the day. Grant Pennoyer and Maureen Dawson, who staffed us so brilliantly, and Diane Pruett who is unbelievable in being there, again never leaving the Committee room. We thank all those people. We had five consecutive budgets requiring painful cuts, and we found creative and bipartisan solutions. We could not have done this without the bipartisan approach, and being committed to that task. We are only here today being this successful because everyone had a say. Everyone who wanted to participated and everyone was heard. Without of that effort, we would not have had a budget that hopefully you all can vote for. This budget has somewhat part of our souls in it, each one of us who worked on it, and many of you. We really appreciate you giving of yourselves to make this happen. It's something that we didn't think necessarily we'd get to, this end result, but we did and we're proud of it. And, we're proud of all of you. Thanks to all who helped us, and I ask for your support that you might vote for this budget. Thank you very much.

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Rosen.

Senator **ROSEN:** Thank you, Madame President. Ladies and gentlemen of the Senate, the line that you may be familiar with, 'Houston we have a problem' describes an event that took place when Apollo 13, on the mission to the moon, for those of you old enough to recall the real event, when they had an explosion of an external oxygen tank. The critical mission became trying to figure out a way back home. For those of you who don't recall the real life experience, the Ron Howard movie is a great depiction of that great line from Jim Lovell. That's the way this budget has felt this session. Holes being blown out of the state budget and our work to try and pull it back together. I think we have done so, considering the atmosphere that we are in with this economy and politically, both nationally and in the state, are offering you the best possible package under those circumstances. The impacts of this recession have been deep and they have been persistent. In the budget process the Republican caucus was very clear in the beginning in trying to clearly and effectively express certain fundamental principles that we were attempting to achieve. We

received tremendous help from both sides of the aisle from leadership teams and from the policy committees to achieve those goals. We were looking for maximum, on-going, and as much as possible, structural savings, trying as best we could to minimize one-time fixes. I think we were able to accomplish that in many areas. It's not pure, and there were certainly compromises that we accepted. But overall, I think we were able to achieve those goals. There are many structural changes built into this budget that will have an on-going impact, particularly in the Department of Health and Human Services and MaineCare arena. I know that the policy committee put in a tremendous amount of effort to help us move Medicaid to a managed care model, developing an entirely different payment model in the future biennial budget for the hospitals, looking at rate standardization, many major reforms that were built into both the biennial budget and the supplemental budget. We worked to protect life, critical services, and core functions. And yes, even from the Republican caucus, we were clearly concerned about many of those life-sustaining functions that are funded and provided through state government. And as you heard, we were able to balance within existing resources. We were happy to stand with the Chief Executive in supporting no broad-based tax increases in this approach. I know for many that was a difficult position to embrace, remembering particularly at the beginning of the session a former colleague of mine who had been on the Appropriations team a few years ago, Mr. Dudley, former chair of the Democratic party and joining our efforts in January as part of Engage Maine promoting revenue enhancements. We were dealing with a budget model that had received a rather dramatic infusion of what we feel is one-time federal monies scheduled to come to an end 15 months from now. To exercise that option in a weak economy when families were struggling and with the infusion of temporary federal money, we felt that we could not take that option away from the next Legislature and the next Chief Executive when they will be facing a substantial structural shortfall.

We heard an argument presented to us relating to the tax position we took in the budget from the Maine Municipal Association that has been repeated in many of the publications. 'All they did was shift the tax burden to the local property taxpayer' and that their claim to the Appropriations Committee members that 'no tax increase is a false claim.' I don't buy that argument. Local control is strongly held and defended in this state and we have locally elected school boards, selectmen, town councilmen, budget committees, and county commissioners, who have opportunities to cast votes on budgets. There is an entire process out there. If we can do a good job of informing, explaining and outlining the position that we took, then people in the community don't necessarily have to accept that there will be an automatic increase in their property taxes. They can engage and become involved in the difficult decisions that we were engaged in during this session. We had heard during these budget negotiations from our friends at the Maine Education Association, and if you will recall they're running a series of half-page and three-quarter-page ads in many of the major dailies in the state, talking about how we were walking away from our obligation to fully fund the 55% state share of K-12 education. Unfortunately that information was a little narrow and didn't really include a broad discussion of the \$1.4 billion over the 2009, 2010 and 2011 fiscal years that we were confronting at the state level and that there had been a good faith effort during the first two years of the ramp-up to achieve our share from that referendum.

As this impact rolls out to the community we would hope to see a more open minded and broader discussion from our friends at the leadership of the MEA. We patched the hole, we designed a good product, we brought this in for your approval today and we know that the next Chief Executive and the next Legislature will face major, major challenges. We hope we have built a foundation so they can address those challenges, including a major expected increase in the health and retiree pension costs in the next session, the disappearance of the stimulus money that is so critical in this budget for the next 15 months, and probably a more robust conversation around the role of government: local, state and federal. Those challenges will be part of the campaign season, I'm sure, as we look for a transition, and the burdens that will fall to the next team.

In closing, the good Senate Chair did a terrific job of outlining and identifying many of the people who were critical to the success of this product and I don't want to attempt to do that, but I want to recognize that there is a transition ahead of us. There were two individuals who are approaching a personal transition that I would just like to acknowledge them. One is the Governor's Commissioner, Ryan Lowe, as the current administration's team begins to wind down their work. As you heard, Ryan and Ellen were a team with us every step of the way. The only way the Appropriations Committee would have been able to succeed in this endeavor is to have a true and reliable partner representing the Chief Executive, and we found that in Commissioner Lowe. Otherwise this product would not have been possible. The second person now coming up to a transition moment is the good member from the other Body, Representative Millett who will be termed-out of the other Body. He has spent the last eight years as a member of the Appropriations team and who has, in my opinion, served as a true patriot to benefit all the citizens of the state, to do the best work possible, to try to see at the end that the public is served. I want to acknowledge the transition that he is about to embark on. Madame President, I hope that the members of the chamber find themselves in a position to be able to support the supplemental and ask for their vote. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Craven.

Senator **CRAVEN:** Thank you, Madame President. Men and women of the Senate, who thought that three months ago we'd be celebrating the process and the passage of this budget? State services funding were in dire straits, but our chairs and leads did a yeoman's job of keeping the Committee together and produced a budget that we can all be proud of. The funds we received from feds expansion and the revenue projections pulled us back from the brink, and that's where I felt we were. Unable to fund adequately our education system, our higher education, and certainly our health and human services that we need to keep our constituents safe. When this funding came in it motivated all of us to go forward and to try to do our very best to produce the best product that we could in this budget. While producing the best product we kept the safety net in place for our most vulnerable people and for our education system. This bipartisan budget was crafted by all the committees of jurisdiction, along with Appropriations and leadership. We thank the Administration and our staff who made sure that we had all of the tools we needed to have a wonderful outcome. I especially want to thank our chairs and leads for doing a wonderful job and steering us in the right

direction. I ask you all to please support us and vote in the affirmative for this budget. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Bliss.

Senator **BLISS:** Thank you, Madame President. Men and women of the Senate, first Madame President I want to thank you for, in your wisdom, having not put me on the Appropriations Committee. I rise today to celebrate the work of my good friend, the Senator from Cumberland and his committee, because of the time and attention you took paying attention to my committee and the other committees. I've been hanging around here awhile and I am not familiar with Appropriations Committees who really wanted to learn and wanted to listen to the work that the committees of jurisdiction do. I think every member of my committee, from both bodies and on both sides of the aisle, appreciated being asked the questions you asked us and we knew that the answers we gave were going to be listened to. That's quite amazing. I think you paid attention to us. I think you took that into consideration when you crafted the work that you crafted. I appreciate it greatly and I know that the members of my committee do, and I thank you for your work. Thank you, Madame President.

On motion by Senator **DIAMOND** of Cumberland, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

THE PRESIDENT: The pending question before the Senate is Enactment. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#385)

YEAS: Senators: ALFOND, BARTLETT, BLISS, BOWMAN, BRANNIGAN, BRYANT, COURTNEY, CRAVEN, DAMON, DAVIS, DIAMOND, GERZOFKY, GOODALL, GOOLEY, HASTINGS, HOBBS, JACKSON, MARRACHE, MCCORMICK, NUTTING, PERRY, PLOWMAN, RAYE, RECTOR, ROSEN, SCHNEIDER, SHERMAN, SIMPSON, TRAHAN, WESTON, THE PRESIDENT - ELIZABETH H. MITCHELL

NAYS: Senators: NASS, SMITH

ABSENT: Senator: MILLS

EXCUSED: Senator: SULLIVAN

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with 2 Senators having voted in the negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later (3/16/10) Assigned matter:

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Repeal the Fee Increase for Copies of Vital Records (EMERGENCY)
S.P. 613 L.D. 1648

Majority - **Ought Not to Pass** (8 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-409)** (5 members)

Tabled - March 16, 2010, by Senator **BRANNIGAN** of Cumberland

Pending - **ACCEPTANCE OF EITHER REPORT**

(In Senate, March 16, 2010, Reports **READ.**)

Senator **BRANNIGAN** of Cumberland moved to **INDEFINITELY POSTPONE** the Bill and accompanying papers.

THE PRESIDENT: The Chair recognizes the Senator from Washington, Senator Raye.

Senator **RAYE:** Thank you, Madame President. Ladies and gentlemen of the Senate, I rise in support of the motion. The substance of this legislation was incorporated in the budget we just passed, so I am pleased to vote with the Senator from Cumberland on this motion.

On motion by Senator **BRANNIGAN** of Cumberland, Bill and accompanying papers **INDEFINITELY POSTPONED.**

Sent down for concurrence.

Off Record Remarks

Senate at Ease.

Senate called to order by the President.

Senator **JACKSON** of Aroostook was granted unanimous consent to address the Senate off the Record.

Senator **NUTTING** of Androscoggin was granted unanimous consent to address the Senate off the Record.