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State of Maine
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS

February 3, 2011

MEMO TO: Senator Richard W. Rosen, Senate Chair,
Representative Patrick S. A. Flood, House Chair, and
Members of the Joint Standing Committee on Appropriations & Financial Affairs

FROM: Senator Brian D. Langley, Senate Chair, *BC*
Representative David E. Richardson, House Chair, and *DR*
Members of the Joint Standing Committee on Education & Cultural Affairs

SUBJ: **Education & Cultural Affairs Committee Report on FY 2011 Supplemental
Budget Bill (LD 100)**

The Joint Standing Committee on Education & Cultural Affairs is pleased to submit our budget recommendations related to the Governor's proposals in the FY 2011 supplemental budget bill (LD 100). We held three work sessions and carefully reviewed the initiatives related to pre-kindergarten to grade 12 education, postsecondary education and cultural affairs programs.

The Education & Cultural Affairs Committee voted to unanimously support the passage of all but three of the 41 initiatives presented in LD 100. Our recommendations are presented in the attached EDU Report-back template and the EDU budget worksheets.

We also provide brief comments below to summarize the views of Education & Cultural Affairs Committee members regarding two items where we object to the (Part W) language proposed in the bill, another item (Sec. A-22) where we present a divided report, and several other budget-related matters that we wish to bring to the attention of the members of the Appropriations & Financial Affairs Committee.

We thank you for your consideration of our FY 2011 supplemental budget report. Please do not hesitate to contact us should you have any questions regarding our recommendations.

Enclosures: EDU Cmte LD 100 "Report-back Template"
EDU Cmte LD 100 "Budget Worksheets"

Education & Cultural Affairs Committee Recommendations FY 2011 Supplemental Budget Bill (LD 100)

1. CHILD DEVELOPMENT SERVICES (“CDS”) SYSTEM

- **Language Part W, Sec. W-1 (EDU-30).** This initiative eliminates statutory provisions that allow certain children to continue to receive services from the Child Development Services (“CDS”) System for an additional year rather than be enrolled in kindergarten.

Vote: “OUT” 12-1

Majority ONTP Report (12): Sen. Langley, Sen. Mason, Sen. Alford, Rep. Richardson, Rep. Maker, Rep. McClellan, Rep. McFadden, Rep. Johnson, Rep. Wagner, Rep. Rankin, Rep. Lovejoy, Rep. Nelson; Rep. Soctomah supports the Majority ONTP report

Minority OTP Report (1): Rep. Edgecomb

Recommendation: Members on the majority report object to including this language provision in the supplemental budget bill for the following reasons: (1) the proposed initiative does not have a fiscal impact for the current fiscal year; (2) there is disagreement over the fiscal impact of this proposed initiative on the budgets of both the CDS System and K-12 special education programs; and (3) this budget initiative involves important policy considerations that merit further consideration by both the Education & Cultural Affairs Committee and the Appropriations & Financial Affairs Committee (please also see Part K below).

- **Language Part W, Sec. W-2 (EDU-30).** This initiative requires the Department of Education (“DOE”) to amend rules regarding the period of time required to complete special education evaluations for children (3 to 5 years of age) from 60 calendar days to 45 school days.

Vote: “OUT” 10-3

Majority ONTP Report (10): Sen. Langley, Sen. Mason, Sen. Alford, Rep. Maker, Rep. McClellan, Rep. McFadden, Rep. Wagner, Rep. Rankin, Rep. Lovejoy, Rep. Nelson

Minority OTP Report (3): Rep. Richardson, Rep. Edgecomb, Rep. Johnson

Recommendation: The majority of Education & Cultural Affairs Committee members also object to including this language provision in the supplemental budget bill. While the basis for opposing this item is stated in the 1st and 3rd reasons above (for Sec. W-1), members also noted that the 124th Legislature rejected this proposed DOE rule change twice in the last two years.

- **Language Part K (EDU-27).** This initiative requires the DOE Commissioner to identify savings in the CDS System program and to submit a report to the Legislature by March 31, 2011 with a plan that “identifies savings ... equal to at least 5% of the total fiscal year 2010-11 program budget” for the CDS System “that do not affect services to children.”

Vote: “IN” 13-0

Rep. Soctomah supports the ONTP report

Recommendation: The Education & Cultural Affairs Committee unanimously supports this initiative. As the Legislature looks forward to the FY 2012-FY 2013 biennium budget, we expect that the comprehensive review promised by the DOE can clarify unanswered questions related to the total budget of the CDS System program. While we understand that the DOE interprets the Part K language to represent 5% of the General Funds appropriated to the CDS System, we request that the DOE comprehensive review considers analyses of all revenue sources, including allocations from Federal Expenditure Funds (i.e., IDEA funds, Medicaid funds, etc.). We also request that DOE officials consult with DHHS officials to incorporate the impact of MaineCare rule changes on the eligibility of the CDS System program for reimbursements from Medicaid funds.

2. DOCTORS FOR MAINE'S FUTURE SCHOLARSHIP FUND

- **Sec. A-22. Finance Authority of Maine, Ref. #: 239; Doctors For Maine's Future Scholarship Fund; (EDU-9).** This initiative proposes to reduce funding in the amount of \$125,445 from the Doctors for Maine's Future Scholarship Fund.

Vote: "IN" 8-5

Majority OTP Report (8): Sen. Langley, Sen. Mason, Rep. Richardson, Rep. Maker, Rep. McClellan, Rep. McFadden, Rep. Edgecomb, Rep. Johnson

Minority ONTP Report (5): Sen. Alford, Rep. Wagner, Rep. Rankin, Rep. Lovejoy, Rep. Nelson; Rep. Soctomah supports the Minority ONTP report

Recommendation: Education & Cultural Affairs Committee members agree that this innovative scholarship program is a "win-win" that provides tuition assistance for Maine medical students while improving access to primary care providers for rural communities across the State. The majority report members reluctantly accept this one-time funding reduction and note that the impact of this cut will be deferred until FY 2016 – a preferable choice when compared to less appealing alternatives that would result in withdrawing financial support in the middle of the academic year. The members of the minority report feel that taking funds from this new program sends the wrong message to prospective medical students and to private philanthropists.

All committee members concur that this scholarship fund must not be a target for further funding reductions in the FY 2012-FY 2013 biennium budget. We urge members of the Appropriations & Financial Affairs Committee to join us in sending a strong message to the Administration that further cuts to this program could result in great harm to this public-private partnership that is poised to deliver medical care to the rural Maine communities that need it the most.

3. CULTURAL AFFAIRS AGENCIES

While Education & Cultural Affairs Committee members unanimously accepted the Governor's proposed initiatives related to the cultural affairs agencies, we note that these institutions – the Maine Arts Commission, the Maine Historic Preservation Commission, the Maine Historical Society, the Maine Humanities Council, the Maine State Library and the Maine State Museum – deserve continued state support and our sincere gratitude for the value they individually and

collectively bring to our quality of life and for their contributions to the economic and cultural spheres of our State.

Along with all of state government, the cultural affairs agencies have faced a State “hiring freeze” and an “attrition saving” initiative during the past few years. We have heard of the challenges that these constraints present to relatively small state agencies such as the Maine Arts Commission, the Maine State Library and the Maine State Museum. These agencies must forgo filling vacancies, restructure existing positions, and risk the elimination of funds for vacant positions in order to remain within their tight budgets and in compliance with these personnel limitations. While we recognize that these personnel issues may more properly be addressed during the upcoming FY 2012-FY 2013 biennium budget proceedings, the Education & Cultural Affairs Committee offers one final recommendation for your consideration.

Recommendation: On behalf of the Director of the Maine Arts Commission, we request that the Administration consider providing an exception to the “hiring freeze” so that the Maine Arts Commission is allowed to fill the Assistant Director position that was vacated last year. We have been informed that the 124th Legislature approved the allocation of federal funds for the Assistant Director position, but that once the position was vacated, the “hiring freeze” prevented the Maine Arts Commission from filling the position. We recommend that the Administration establish an appeals process to consider – on a case by case basis – the merits of “thawing out” frozen positions that do not have an impact on the General Fund.

4. MAINE PUBLIC BROADCASTING CORPORATION

Finally, we wish to thank the Maine Public Broadcasting Corporation for continuing to provide quality programs that are broadcast to all regions of the State in spite of the reductions in state funding. We also recognize the critical public service that MPBN provides with respect to transmitting emergency signals on behalf of federal and state emergency management agencies.

Committee Recommendations for Changes to Governor's Budget Proposal (Majority)

Name of Committee: EDU

LD: 100 Date of Report: 2/2/11

GF Cost (Savings)	Change in Headcount (All Funds)	
FY11	FY11	Vote*

Governor's GF Budget Initiatives Net Cost (Savings)	\$660,281	0.0
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Initiatives Rejected by Committee & Effect on Net GF Cost or Savings

Page	Reference/ Part	Summary of Initiative			
EDU-28	Part W Sec. W-1	Eliminates provisions allowing certain children to continue receiving CDS System services for an additional year rather than enroll in kindergarten	\$0	0.0	12-1
EDU-28	Part W Sec. W-2	Requires DOE to amend its rules regarding the period of time required to complete special education evaluations for children (3 to 5 years of age) from 60 calendar days to 45 school days	\$0	0.0	10-3
Total Cost (Savings) From Rejected Initiatives			\$0	0.0	

Initiatives Amended by Committee & Effect on Net GF Cost or Savings

Page	Reference/ Part	Description of Amendment (Attach Revised Initiative Description or Language)			
Total Cost (Savings) From Amended Initiatives			\$0	0.0	

Initiatives Added by Committee & Effect on Net GF Cost or Savings

		Summary of Initiative (Attach Full Initiative Description or Language)			
Total Cost (Savings) From Additional Initiatives			\$0	0.0	

Total Additions to or Subtraction from Governor's Net Total	\$0	0.0
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POLICY COMMITTEE'S GF Budget Initiatives Net Cost (Savings)	\$660,281	0.0
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* Note: Rep. Soctomah supports the majority OTP report on Language Part W, Sec. W-1

Committee Recommendations for Changes to Governor's Budget Proposal (Minority)

Name of Committee: EDU

LD: 100 Date of Report: 2/2/11

GF Cost (Savings)	Change in Headcount (All Funds)	
FY11	FY11	Vote*

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Minority Proposals to Reject the Governor's Initiatives & Effect on Net GF Cost or Savings

Page	Reference/Part	Summary of Initiative			
EDU-9	239	Reduces funding in the Doctors for Maine's Future Scholarship Fund	\$125,445	0.0	8-5

Minority Proposals to Amend the Governor's Initiatives & Effect on Net GF Cost or Savings

Page	Reference/Part	Description of Amendment (Attach Revised Initiative Description or Language)			

Minority Proposals for Additional Initiatives & Effect on Net GF Cost or Savings

		Summary of Initiative (Attach Full Initiative Description or Language)			

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* Note: Rep. Soctomah supports the minority ONTP report on Ref. #: 239

Sec. A-3. Appropriations and allocations.

The following appropriations and allocations are made.

ARTS COMMISSION, MAINE

Arts - Administration 0178

Initiative: Reduces funding for arts and arts education for fiscal year 2010-11.

Ref. #: 34

Committee Vote: OTP 13-0 AFA Vote: _____

(Rep. Sockomah)
OTP

	2010-11	2011-12	2012-13
GENERAL FUND			
All Other	(\$5,000)	\$0	\$0
GENERAL FUND TOTAL	(\$5,000)	\$0	\$0

Justification:

This reduction of \$5,000 will reduce the amount awarded for arts and arts education grants in fiscal year 2010-11 only.

Arts - Administration 0178

Initiative: Reduces funding for advertising of new grant initiatives and programs. This initiative relates to curtailment of allotments ordered by the Governor pursuant to the Maine Revised Statutes, Title 5, section 1668.

Ref. #: 35

Committee Vote: OTP 13-0 AFA Vote: _____

(Rep. Sockomah)
OTP

	2010-11	2011-12	2012-13
GENERAL FUND			
All Other	(\$1,581)	\$0	\$0
GENERAL FUND TOTAL	(\$1,581)	\$0	\$0

Justification:

The Maine Arts Commission has funding to advertise new grant initiatives and programs. Every effort will be made to consolidate advertising materials to absorb this one-time reduction of \$1,581.

ARTS COMMISSION, MAINE

* Please also see

	2010-11	2011-12	2012-13
DEPARTMENT TOTALS			
GENERAL FUND	(\$6,581)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$6,581)	\$0	\$0

EDU narrative for
other recommendations

Sec. A-7. Appropriations and allocations.

The following appropriations and allocations are made.

COMMUNITY COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE

Maine Community College System - Board of Trustees 0556

Initiative: Adjusts funding to bring allocations in line with available resources of racino revenue projected by the Revenue Forecasting Committee in December 2010.

Ref. #: 501

Committee Vote: OTP 13-0

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

All Other

(Rep. Soctomah)
OTP

OTHER SPECIAL REVENUE FUNDS TOTAL

	2010-11	2011-12	2012-13
	\$8,763	\$0	\$0
	<u>\$8,763</u>	<u>\$0</u>	<u>\$0</u>

Justification:

This request increases the allocation for scholarships consistent with the latest amount of racino resources available as projected by the Revenue Forecasting Committee in December of 2010.

COMMUNITY COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE

DEPARTMENT TOTALS

OTHER SPECIAL REVENUE FUNDS

DEPARTMENT TOTAL - ALL FUNDS

	2010-11	2011-12	2012-13
	\$8,763	\$0	\$0
	<u>\$8,763</u>	<u>\$0</u>	<u>\$0</u>

Sec. A-11. Appropriations and allocations. The following appropriations and allocations are made.

CULTURAL AFFAIRS COUNCIL, MAINE STATE

New Century Program Fund 0904

Initiative: Reduces funding for grants to maintain expenditures within available resources.

Ref. #: 136

Committee Vote: OTP 13-0 AFA Vote: _____

(Rep. Soctomah)
OTP

	2010-11	2011-12	2012-13
GENERAL FUND			
All Other	(\$411)	\$0	\$0
GENERAL FUND TOTAL	(\$411)	\$0	\$0

Justification:

Reduces grants to public and private organizations in fiscal year 2010-11 only.

CULTURAL AFFAIRS COUNCIL, MAINE STATE

	2010-11	2011-12	2012-13
DEPARTMENT TOTALS			
GENERAL FUND	(\$411)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$411)	\$0	\$0

Sec. A-16. Appropriations and allocations.

The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

Adult Education 0364

Initiative: Transfers one Office Assistant II position from the Leadership Team program, General Fund to the Adult Education program, Federal Expenditures Fund and transfers All Other to Personal Services in the Federal Expenditures Fund to fund the position.

Ref. #: 169

Committee Vote: OTP 13-0

AFA Vote: _____

(Rep. Sactomah)
OTP

FEDERAL EXPENDITURES FUND	2010-11	2011-12	2012-13
POSITIONS - LEGISLATIVE COUNT	1.000	0.000	0.000
Personal Services	\$14,991	\$0	\$0
All Other	(\$14,991)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

Justification:

This initiative transfers an Office Assistant II position from the Leadership program, General Fund to the Adult Education program, Federal Expenditures Fund effective April 18, 2010 in order to reflect the position in the appropriate program.

Child Development Services 0449

Initiative: Transfers funding from the General Purpose Aid for Local Schools program to the Child Development Services program in order to reflect expenditures in the appropriate program.

Ref. #: 172

Committee Vote: OTP 13-0

AFA Vote: _____

(Rep. Sactomah)
OTP

GENERAL FUND	2010-11	2011-12	2012-13
All Other	\$5,700,000	\$0	\$0
GENERAL FUND TOTAL	\$5,700,000	\$0	\$0

Justification:

The funding for state agency client students within the miscellaneous and adjustments category of General Purpose Aid to Local Schools is being reduced and the funding for Child Development Services is being increased by the same amount. This initiative aligns the budget appropriations with the services being provided to the early childhood population by Child Development Services and services being provided to the Pre-K12 state agency client population by local schools.

Child Development Services 0449

Initiative: Provides funding for services to children from birth to 5 years of age as a result of MaineCare rule changes effective September 1, 2010.

Ref. #: 173

Committee Vote: OTP 13-0

AFA Vote: _____

(Rep. Sactomah)

GENERAL FUND	2010-11	2011-12	2012-13

All Other	\$2,000,000	\$0	\$0
GENERAL FUND TOTAL	\$2,000,000	\$0	\$0

Justification:

This initiative provides funding to Child Development Services for services to children birth to age 5 as a result of changes in MaineCare rules, effective September 1, 2010. These changes will no longer allow for MaineCare reimbursements for some programs or services that were previously eligible.

General Purpose Aid for Local Schools 0308

Initiative: Transfers funding from the General Purpose Aid for Local Schools program to the Child Development Services program in order to reflect expenditures in the appropriate program.

Ref. #: 166	Committee Vote: <u>OTP 13-0</u> (Rep. Sactamah) OTP	AFA Vote: _____			
GENERAL FUND			2010-11	2011-12	2012-13
All Other			(\$5,700,000)	\$0	\$0
GENERAL FUND TOTAL			(\$5,700,000)	\$0	\$0

Justification:

The funding for state agency client students within the miscellaneous and adjustments category of General Purpose Aid to Local Schools is being reduced and the funding for Child Development Services is being increased by the same amount. This initiative aligns the budget appropriations with the services being provided to the early childhood population by Child Development Services and services being provided to the Pre-K12 state agency client population by local schools.

Leadership Team Z077

Initiative: Transfers one Office Assistant II position from the Leadership Team program, General Fund to the Adult Education program, Federal Expenditures Fund and transfers All Other to Personal Services in the Federal Expenditures Fund to fund the position.

Ref. #: 175	Committee Vote: <u>OTP 13-0</u> (Rep. Sactamah) OTP	AFA Vote: _____			
GENERAL FUND			2010-11	2011-12	2012-13
POSITIONS - LEGISLATIVE COUNT			(1,000)	0.000	0.000
Personal Services			(\$14,991)	\$0	\$0
GENERAL FUND TOTAL			(\$14,991)	\$0	\$0

Justification:

This initiative transfers an Office Assistant II position from the Leadership program, General Fund to the Adult Education program, Federal Expenditures Fund effective April 18, 2010 in order to reflect the position in the appropriate program.

Leadership Team Z077

Initiative: Reallocates the cost of one Education Specialist III position from 100% in the Leadership Team program to 80% in the Leadership Team program and 20% in the PK-20 Curriculum, Instruction and Assessment program to reflect costs in the appropriate program.

Ref. #: 176

Committee Vote: OTP 13-0

AFA Vote: _____

FEDERAL EXPENDITURES FUND

Personal Services

FEDERAL EXPENDITURES FUND TOTAL

(Rep. Sockomah)
OTP

	2010-11	2011-12	2012-13
Personal Services	(\$19,296)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	(\$19,296)	\$0	\$0

Justification:

This request reallocates the cost of one Ed Spec III position from 90% in the English Language Acquisition account 013-05A-Z077-16 and 10% in the Refugee Children's Impact Grant account 013-05A-Z077-61 to 70% English Language Acquisition account, 20% to the Assessments account 013-05A-Z081-04 and 10% to the Refugee Children's Impact Grant account to reflect the expenditures in the appropriate programs and accounts.

PK-20 Curriculum, Instruction and Assessment Z081

Initiative: Eliminates funding for the Robert C. Byrd Honors Scholarship Program.

Ref. #: 183

Committee Vote: OTP 13-0

AFA Vote: _____

FEDERAL EXPENDITURES FUND

All Other

FEDERAL EXPENDITURES FUND TOTAL

(Rep. Sockomah)
OTP

	2010-11	2011-12	2012-13
All Other	(\$189,024)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	(\$189,024)	\$0	\$0

Justification:

This grant is received and administered by the Finance Authority of Maine; therefore, no allocation is needed in this account.

PK-20 Curriculum, Instruction and Assessment Z081

Initiative: Reallocates the cost of one Education Specialist III position from 100% in the Leadership Team program to 80% in the Leadership Team program and 20% in the PK-20 Curriculum, Instruction and Assessment program to reflect costs in the appropriate program.

Ref. #: 184

Committee Vote: OTP 13-0

AFA Vote: _____

FEDERAL EXPENDITURES FUND

Personal Services

FEDERAL EXPENDITURES FUND TOTAL

(Rep. Sockomah)
OTP

	2010-11	2011-12	2012-13
Personal Services	\$19,296	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$19,296	\$0	\$0

Justification:

This request reallocates the cost of one Ed Spec III position from 90% in the English Language Acquisition account 013-05A-Z077-16 and 10% in the Refugee Children's Impact Grant account 013-05A-Z077-61 to 70% English Language Acquisition account, 20% to the Assessments account 013-05A-Z081-04 and 10% to the Refugee Children's Impact Grant account to reflect the expenditures in the appropriate programs and accounts.

EDUCATION, DEPARTMENT OF

	2010-11	2011-12	2012-13
DEPARTMENT TOTALS			
GENERAL FUND	\$1,985,009	\$0	\$0
FEDERAL EXPENDITURES FUND	(\$189,024)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	<u>\$1,795,985</u>	<u>\$0</u>	<u>\$0</u>

Sec. A-17. Appropriations and allocations.

The following appropriations and allocations are made.

EDUCATION, STATE BOARD OF

State Board of Education 0614

Initiative: Reduces funding to maintain costs within available resources.

Ref. #: 163

Committee Vote: OTP 13-0 AFA Vote: _____

(Rep. Sactomah)
OTP

	2010-11	2011-12	2012-13
GENERAL FUND			
All Other	(\$1,009)	\$0	\$0
GENERAL FUND TOTAL	(\$1,009)	\$0	\$0

Justification:

This initiative reduces funding for professional services in order to maintain costs within available resources. This reduction was proposed in relation to the curtailment of allotments ordered by the Governor pursuant to 5 MRSA §1668. It was not included in the final curtailment amounts reduced in Statewide Financial Order 006359F11.

EDUCATION, STATE BOARD OF

	2010-11	2011-12	2012-13
DEPARTMENT TOTALS			
GENERAL FUND	(\$1,009)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$1,009)	\$0	\$0

Sec. A-22. Appropriations and allocations.

The following appropriations and allocations are made.

FINANCE AUTHORITY OF MAINE

Doctors For Maine's Future Scholarship Fund Z090

Initiative: Reduces funding in the Doctors For Maine's Future Scholarship Fund program.

Ref. #: 239

Committee Vote: OTTP 8

AFA Vote: _____

GENERAL FUND

All Other

GENERAL FUND TOTAL

OTTP 5
(Rep. Soltomah)
OTTP

	2010-11	2011-12	2012-13
	(\$125,445)	\$0	\$0
	(\$125,445)	\$0	\$0

Please also see
EDUC narrative for other recommendations.

Justification:

This initiative will prevent one student from receiving funding through this program.

FINANCE AUTHORITY OF MAINE

DEPARTMENT TOTALS

GENERAL FUND

DEPARTMENT TOTAL - ALL FUNDS

	2010-11	2011-12	2012-13
	(\$125,445)	\$0	\$0
	(\$125,445)	\$0	\$0

Sec. A-26. Appropriations and allocations. The following appropriations and allocations are made.

HISTORIC PRESERVATION COMMISSION, MAINE

Historic Preservation Commission 0036

Initiative: Adjusts funding by transferring operational expenditures for information technology from the General Fund to the Federal Expenditures Fund. This initiative relates to curtailment of allotments ordered by the Governor pursuant to the Maine Revised Statutes, Title 5, section 1668.

Ref. #: 245

Committee Vote: OTP 13-0 AFA Vote: _____

(Rep. Soctomah)
OTP

GENERAL FUND				
All Other		2010-11	2011-12	2012-13
		(\$2,737)	\$0	\$0
GENERAL FUND TOTAL		(\$2,737)	\$0	\$0

Ref. #: 246

Committee Vote: OTP 13-0 AFA Vote: _____

(Rep. Soctomah)
OTP

FEDERAL EXPENDITURES FUND				
All Other		2010-11	2011-12	2012-13
		\$2,737	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL		\$2,737	\$0	\$0

Justification:

This initiative temporarily transfers costs from the General Fund account to the Federal Expenditures Fund account within the same program to reduce funding in the General Fund account to maintain costs within available resources. Federal grant available to cover technology costs for fiscal year 2010-11.

HISTORIC PRESERVATION COMMISSION, MAINE

DEPARTMENT TOTALS		2010-11	2011-12	2012-13
GENERAL FUND		(\$2,737)	\$0	\$0
FEDERAL EXPENDITURES FUND		\$2,737	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS		\$0	\$0	\$0

Sec. A-27. Appropriations and allocations.

The following appropriations and allocations are made.

HISTORICAL SOCIETY, MAINE

.historical Society 0037

Initiative: Reduces funding for educational and outreach programs.

Ref. #: 250

Committee Vote: OTP 13-0 AFA Vote: _____

(Rep. Sactant)
OTP

	2010-11	2011-12	2012-13
GENERAL FUND			
All Other	(\$445)	\$0	\$0
GENERAL FUND TOTAL	(\$445)	\$0	\$0

Justification:

The reduction in funds will directly impact our ability to support education and outreach programs in Maine schools, historical societies, museums and libraries. Maine Historical Society will have to eliminate 3 program visits in fiscal year 2010-11. On average, we serve 30 students per visit. That translates to 90 less students served in fiscal year 2010-11.

HISTORICAL SOCIETY, MAINE

	2010-11	2011-12	2012-13
DEPARTMENT TOTALS			
GENERAL FUND	(\$445)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$445)	\$0	\$0

Sec. A-31. Appropriations and allocations.

The following appropriations and allocations are made.

HUMANITIES COUNCIL, MAINE

Humanities Council 0942

Initiative: Reduces funding for the Maine Humanities Council's share of the New Century Program matching grant funds in rural and urban areas across Maine used for public cultural projects in community history, cultural tourism, literature and literacy and other humanities areas.

Ref. #: 365

Committee Vote: DTP 13-0 AFA Vote: _____

(Rep. Sockomah)
OTP

	2010-11	2011-12	2012-13
GENERAL FUND			
All Other	(\$529)	\$0	\$0
GENERAL FUND TOTAL	(\$529)	\$0	\$0

Justification:

The Council's grants range up to \$5,000, with the average award being approximately, \$800. A \$529 reduction would eliminate one community grant. 100% of the appropriation is used for grants.

HUMANITIES COUNCIL, MAINE

	2010-11	2011-12	2012-13
DEPARTMENT TOTALS			
GENERAL FUND	(\$529)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$529)	\$0	\$0

Sec. A-36. Appropriations and allocations.

The following appropriations and allocations are made.

LIBRARY, MAINE STATE

Maine State Library 0217

Initiative: Transfers one Librarian I position from 100% General Fund to 47% General Fund and 53% Federal Expenditures Fund within the same program in fiscal year 2010-11. This initiative relates to curtailment of allotments ordered by the Governor pursuant to the Maine Revised Statutes, Title 5, section 1668.

Ref. #: 399

Committee Vote: OTP 13-0 AFA Vote: _____

(Rep. Sactamah)
OTP

	2010-11	2011-12	2012-13
GENERAL FUND			
POSITIONS - LEGISLATIVE COUNT	(1,000)	0.000	0.000
Personal Services	(\$29,568)	\$0	\$0
GENERAL FUND TOTAL	<u>(\$29,568)</u>	<u>\$0</u>	<u>\$0</u>

Ref. #: 400

Committee Vote: OTP 13-0 AFA Vote: _____

(Rep. Sactamah)
OTP

	2010-11	2011-12	2012-13
FEDERAL EXPENDITURES FUND			
POSITIONS - LEGISLATIVE COUNT	1,000	0.000	0.000
Personal Services	\$29,568	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	<u>\$29,568</u>	<u>\$0</u>	<u>\$0</u>

Justification:

This initiative realizes savings in fiscal year 2010-11 only, by transferring 53% of the cost of one General Fund Librarian I position (014700021) to the Federal Expenditures Fund account within the same program. Federal grant available to cover personal services costs for fiscal year 2010-11.

LIBRARY, MAINE STATE

	2010-11	2011-12	2012-13
DEPARTMENT TOTALS			
GENERAL FUND	(\$29,568)	\$0	\$0
FEDERAL EXPENDITURES FUND	\$29,568	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Sec. A-40. Appropriations and allocations.

The following appropriations and allocations are made.

MUSEUM, MAINE STATE

Maine State Museum 0180

Initiative: Adjusts hours for 2 intermittent Customer Representative Assistant I positions by increasing one from 784 hours per year to 980 hours per year and by decreasing one from 480 hours per year to 288 hours per year.

Ref. #: 423

Committee Vote: OTP 13-0

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

POSITIONS - FTE COUNT

Personal Services

(Rep. Soctomah)
OTP

	2010-11	2011-12	2012-13
	0.001	0.000	0.000
	(\$212)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$212)	\$0	\$0

Justification:

The Maine State Museum Store is staffed by one manager and three intermittent Customer Representative Assistant I positions. One Customer Representative Assistant I position is currently 784 hours per year. The other two are each 480 hours per year. Efficiencies would be gained and scheduling facilitated by reducing hours in one of the 480 hour/year positions by four hours a week. The new total for this position would be 288 hours per year. Four hours would be added to another Customer Representative Assistant I increasing it to 980 hours per year.

Maine State Museum 0180

Initiative: Reduces funding from savings generated by a vacant Museum Specialist I position. This initiative relates to curtailment of allotments ordered by the Governor pursuant to the Maine Revised Statutes, Title 5, section 1668.

Ref. #: 424

Committee Vote: OTP 13-0

AFA Vote: _____

GENERAL FUND

Personal Services

(Rep. Soctomah)
OTP

	2010-11	2011-12	2012-13
	(\$6,570)	\$0	\$0
GENERAL FUND TOTAL	(\$6,570)	\$0	\$0

Justification:

Savings will be achieved from leaving one Museum Specialist I position vacant for all of fiscal year 2010-11.

Maine State Museum 0180

Initiative: Reduces funding for office and other supplies.

Ref. #: 425

Committee Vote: OTP 13-0

AFA Vote: _____

GENERAL FUND

All Other

(Rep. Soctomah)
OTP

	2010-11	2011-12	2012-13
	(\$6,724)	\$0	\$0

GENERAL FUND TOTAL	(\$6,724)	\$0	\$0
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Justification:

This reduction of \$6,724 will reduce funding for office and other supplies at the Museum in fiscal year 2010-11 only.

MUSEUM, MAINE STATE

DEPARTMENT TOTALS	2010-11	2011-12	2012-13
GENERAL FUND	(\$13,294)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	(\$212)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$13,506)	\$0	\$0

Sec. A-45. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC BROADCASTING CORPORATION, MAINE

Maine Public Broadcasting Corporation 0033

Initiative: Reduces funding for out-of-pocket spending. This will result in no impact on employment or benefits. This initiative relates to curtailment of allotments ordered by the Governor pursuant to the Maine Revised Statutes, Title 5, section 1668.

Ref. #: 452

Committee Vote: DTP 13-0

AFA Vote: _____

(Rep. Sockomah)
OTP

	2010-11	2011-12	2012-13
GENERAL FUND			
All Other	(\$19,325)	\$0	\$0
GENERAL FUND TOTAL	<u>(\$19,325)</u>	<u>\$0</u>	<u>\$0</u>

Justification:

MPBN is the only broadcaster that covers the entire state. MPBN carries programs that teach children to read, write, count and do math. We provide comprehensive coverage and analysis of national, state and local politics and offer a voice to constituencies often underserved by commercial broadcasters. News and public affairs related to the state of Maine is a primary focus of MPBN. MPBN has seen its state appropriation decline rather steadily from \$2,280,138 in fiscal year 2004-05 to \$1,902,198 for fiscal year 2010-11 (after this curtailment) - a total of \$377,940 or 17%. MPBN has, in turn, reduced its total annual operating costs from \$11,270,000 in fiscal year 2004-05 to \$10,207,000 in fiscal year 2009-10 - \$1,063,000 or 9%, in reaction to reductions in both State and Federal funding, in conjunction with a recessionary decline in Membership support. MPBN continues to balance its budget and live within its resources, while still maintaining state-wide access to the same high quality news, public affairs, education and arts entertainment programming that its audience has grown to expect.

PUBLIC BROADCASTING CORPORATION, MAINE

	2010-11	2011-12	2012-13
DEPARTMENT TOTALS			
GENERAL FUND	(\$19,325)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	<u>(\$19,325)</u>	<u>\$0</u>	<u>\$0</u>

Sec. A-53. Appropriations and allocations. The following appropriations and allocations are made.

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

University of Maine Scholarship Fund Z011

Initiative: Provides funding to bring allocations in line with available resources of racino revenue projected by the Revenue Forecasting Committee in December 2010.

Ref. #: 519

Committee Vote: O TP 13-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	(Rep. Soctach) O TP	2010-11	2011-12	2012-13
All Other		\$17,525	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL		\$17,525	\$0	\$0

Justification:

This request increases the allocation for scholarships consistent with the latest amount of racino resources available as projected by the Revenue Forecasting Committee in December of 2010.

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

DEPARTMENT TOTALS	2010-11	2011-12	2012-13
OTHER SPECIAL REVENUE FUNDS	\$17,525	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$17,525	\$0	\$0

Sec. B-1. Appropriations and allocations.

The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

Adult Education 0364

Initiative: RECLASSIFICATIONS

Ref. #: 170

Committee Vote: OTP 13-0 AFA Vote: _____

FEDERAL EXPENDITURES FUND

(Rep. Soctomah)
OTP

	2010-11	2011-12	2012-13
Personal Services	\$27,074	\$0	\$0
All Other	(\$27,074)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

Federal and State Program Services Z079

Initiative: RECLASSIFICATIONS

Ref. #: 179

Committee Vote: OTP 13-0 AFA Vote: _____

FEDERAL EXPENDITURES FUND

(Rep. Soctomah)
OTP

	2010-11	2011-12	2012-13
Personal Services	\$21,457	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$21,457	\$0	\$0

General Purpose Aid for Local Schools 0308

Initiative: RECLASSIFICATIONS

Ref. #: 167

Committee Vote: OTP 13-0 AFA Vote: _____

GENERAL FUND

(Rep. Soctomah)
OTP

	2010-11	2011-12	2012-13
Personal Services	\$13,365	\$0	\$0
All Other	(\$13,365)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

Leadership Team Z077

Initiative: RECLASSIFICATIONS

Ref. #: 177

Committee Vote: OTP 13-0 AFA Vote: _____

FEDERAL EXPENDITURES FUND

(Rep. Soctomah)
OTP

	2010-11	2011-12	2012-13
Personal Services	\$1,192	\$0	\$0

FEDERAL EXPENDITURES FUND TOTAL	\$1,192	\$0	\$0
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PK-20 Curriculum, Instruction and Assessment Z081

Initiative: RECLASSIFICATIONS

Ref. #: 185

Committee Vote: DTP 13-0 AFA Vote: _____

FEDERAL EXPENDITURES FUND	2010-11	2011-12	2012-13
Personal Services	\$1,193	\$0	\$0
All Other	(\$1,193)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

(Rep. Sactomah)
DTP

Special Services Team Z080

Initiative: RECLASSIFICATIONS

Ref. #: 181

Committee Vote: DTP 13-0 AFA Vote: _____

FEDERAL EXPENDITURES FUND	2010-11	2011-12	2012-13
Personal Services	\$3,104	\$0	\$0
All Other	(\$3,104)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

(Rep. Sactomah)
STP

EDUCATION, DEPARTMENT OF

DEPARTMENT TOTALS	2010-11	2011-12	2012-13
GENERAL FUND	\$0	\$0	\$0
FEDERAL EXPENDITURES FUND	\$22,649	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$22,649	\$0	\$0

LIBRARY, MAINE STATE

Maine State Library 0217

Initiative: RECLASSIFICATIONS

Ref. #: 402

Committee Vote: DTP 13-0 AFA Vote: _____

GENERAL FUND	2010-11	2011-12	2012-13
Personal Services	\$3,282	\$0	\$0
All Other	(\$3,282)	\$0	\$0

(Rep. Sactomah)
DTP

GENERAL FUND TOTAL

\$0 \$0 \$0

LIBRARY, MAINE STATE

DEPARTMENT TOTALS

2010-11 2011-12 2012-13

GENERAL FUND

\$0 \$0 \$0

DEPARTMENT TOTAL - ALL FUNDS

\$0 \$0 \$0

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

2 PART C

3 Sec. C-1. 20-A MRSA §15671, sub-§7, ¶B, as repealed and replaced by PL
4 2009, c. 571, Pt. E, §18, is amended to read:

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

- 7 (1) For fiscal year 2005-06, the target is 52.6%.
- 8 (2) For fiscal year 2006-07, the target is 53.86%.
- 9 (3) For fiscal year 2007-08, the target is 53.51%.
- 10 (4) For fiscal year 2008-09, the target is 52.52%.
- 11 (5) For fiscal year 2009-10, the target is 48.93%.
- 12 (6) For fiscal year 2010-11, the target is 46% 45.84%.
- 13 (7) For fiscal year 2011-12 and succeeding years, the target is 55%.

14 Sec. C-2. 20-A MRSA §15671-A, sub-§2, ¶B, as amended by PL 2009, c. 571,
15 Pt. E, §19, is further amended to read:

16 B. For property tax years beginning on or after April 1, 2005, the commissioner shall
17 calculate the full-value education mill rate that is required to raise the statewide total
18 local share. The full-value education mill rate is calculated for each fiscal year by
19 dividing the applicable statewide total local share by the applicable statewide
20 valuation. The full-value education mill rate must decline over the period from fiscal
21 year 2005-06 to fiscal year 2008-09 and may not exceed 9.0 mills in fiscal year 2005-
22 06 and may not exceed 8.0 mills in fiscal year 2008-09. The full-value education mill
23 rate must be applied according to section 15688, subsection 3-A, paragraph A to
24 determine a municipality's local cost share expectation. Full-value education mill
25 rates must be derived according to the following schedule.

- 26 (1) For the 2005 property tax year, the full-value education mill rate is the
27 amount necessary to result in a 47.4% statewide total local share in fiscal year
28 2005-06.
- 29 (2) For the 2006 property tax year, the full-value education mill rate is the
30 amount necessary to result in a 46.14% statewide total local share in fiscal year
31 2006-07.
- 32 (3) For the 2007 property tax year, the full-value education mill rate is the
33 amount necessary to result in a 45.56% statewide total local share in fiscal year
34 2007-08.
- 35 (4) For the 2008 property tax year, the full-value education mill rate is the
36 amount necessary to result in a 45.99% statewide total local share in fiscal year
37 2008-09.

1 (4-A) For the 2009 property tax year, the full-value education mill rate is the
2 amount necessary to result in a 51.07% statewide total local share in fiscal year
3 2009-10.

4 (4-B) For the 2010 property tax year, the full-value education mill rate is the
5 amount necessary to result in a ~~54.0%~~ 54.16% statewide total local share in fiscal
6 year 2010-11.

7 (4-C) For the 2011 property tax year and subsequent tax years, the full-value
8 education mill rate is the amount necessary to result in a 45.0% statewide total
9 local share in fiscal year 2011-12 and after.

10 **Sec. C-3. PL 2009, c. 571, Pt. E, §32** is amended to read:

11 **Sec. E-32. Total cost of funding public education from kindergarten to**
12 **grade 12.** The total cost of funding public education from kindergarten to grade 12 for
13 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	<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	\$1,735,751,307
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	

1 Total adjustments and miscellaneous costs pursuant to \$74,663,270
 2 the Maine Revised Statutes, Title 20-A, sections 15689 \$68,963,270
 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 \$1,909,463,947
 9 kindergarten to grade 12 for fiscal year 2010-11 \$1,903,763,947
 10 pursuant to the Maine Revised Statutes, Title 20-A,
 11 chapter 606-B

12 **Sec. C-4. PL 2009, c. 571, Pt. E, §33 is amended to read:**

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		
20	Local and State Contributions to the Total	
21	Cost of Funding Public Education from	
22	Kindergarten to Grade 12	
23		
24	Local and state contributions to the total	\$1,031,138,925
25	cost of funding public education from	<u>\$878,325,022</u>
26	kindergarten to grade 12 pursuant to the	<u>\$872,625,022</u>
27	Maine Revised Statutes, Title 20-A,	
28	section 15683 - subject to statewide	
29	distributions required by law	

30 **SUMMARY**

31 **PART C**

32 This Part aligns budget appropriation categories with the services being provided to
 33 the early childhood population by the Child Development Services System and services
 34 being provided to the prekindergarten to grade 12 state agency client population by local
 35 schools. The appropriation for state agency client students within the miscellaneous and
 36 adjustments category of General Purpose Aid for Local Schools is being reduced and the
 37 appropriation for the Child Development Services System within the Department of
 38 Education budget is being increased by the same amount. It also adjusts the total cost of
 39 funding public education from kindergarten to grade 12 for fiscal year 2010-11, the state
 40 contribution and the annual target state share percentage as a result of the reduced
 41 General Purpose Aid for Local Schools appropriation.

OTP 13-0
 (Rep. Sactomah)
 OTP

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

2 **PART D**

3 **Sec. D-1. PL 2009, c. 213, Pt. EEE, §1** is amended to read:

4 **Sec. EEE-1. Interim process for reorganized school administrative units.**

5 For school ~~year~~ years 2009-2010, 2010-2011 and 2011-2012, for the purposes of applied
6 technology education at vocational centers and career and technical education regions
7 specified in the Maine Revised Statutes, Title 20-A, chapter 313, the following must be
8 implemented.

9 1. For those school administrative units that have reorganized pursuant to Public
10 Law 2007, chapter 240, Part XXXX as amended by Public Law 2007, chapter 668, all
11 ~~vocational and technical~~ students shall attend the vocational center or career and technical
12 education region that they would have attended as a resident student of the original school
13 administrative unit.

14 2. For those school administrative units that have reorganized pursuant to Public
15 Law 2007, chapter 240, Part XXXX as amended by Public Law 2007, chapter 668, the
16 successor unit acts in place of the school administrative unit identified in Title 20-A,
17 chapter 313 for the purposes of the duties and obligations specified in Title 20-A, chapter
18 313, subchapters 3 and 4.

19 **Sec. D-2. Rename PK-20 Curriculum, Instruction and Assessment**
20 **program.** Notwithstanding any other provision of law, the PK-20 Curriculum,
21 Instruction and Assessment program within the Department of Education is renamed the
22 PK-20, Adult Education and Federal Programs Team program.

23 **SUMMARY**

24 **PART D**

25 This Part does the following.

26 1. It extends the interim governance, operating and budgeting process for those
27 school administrative units that are currently members of vocational centers and career
28 and technical regions that have reorganized into regional school units and alternative
29 organizational structures and continue to reorganize.

30 2. It renames the PK-20 Curriculum, Instruction and Assessment program within the
31 Department of Education to the PK-20, Adult Education and Federal Programs Team
32 program.

OTP 13-0
(Rep. Soctomah)
OTP

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

2 PART E

3 Sec. E-1. 20-A MRSA §15905, sub-§1, as amended by PL 2007, c. 539, Pt. C,
4 §16, is further amended to read:

5 1. Approval authority. The state board must approve each school construction
6 project, unless it is a small scale school construction project as defined in section 15901,
7 subsection 4-A, a nonstate funded project as defined in section 15905-A or a permanent
8 space lease-purchase project.

9 A. The state board may approve projects as long as no project approval will cause
10 debt service costs, as defined in section 15672, subsection 2-A, paragraph A and
11 pursuant to Resolve 2007, chapter 223, section 4, to exceed the maximum limits
12 specified in Table 1 in subsequent fiscal years.

13 Table 1

14	15	16	17
	<u>Major Capital</u>	<u>Integrated, Consolidated</u>	<u>Secondary and Postsecondary</u>
			<u>Project</u>
18	Fiscal year	Maximum Debt Service Limit	Maximum Debt Service Limit
19	1990	\$ 48,000,000	
20	1991	\$ 57,000,000	
21	1992	\$ 65,000,000	
22	1993	\$ 67,000,000	
23	1994	\$ 67,000,000	
24	1995	\$ 67,000,000	
25	1996	\$ 67,000,000	
26	1997	\$ 67,000,000	
27	1998	\$ 67,000,000	
28	1999	\$ 69,000,000	
29	2000	\$ 72,000,000	
30	2001	\$ 74,000,000	
31	2002	\$ 74,000,000	
32	2003	\$ 80,000,000	
33	2004	\$ 80,000,000	
34	2005	\$ 84,000,000	
35	2006	\$ 90,000,000	
36	2007	\$ 96,000,000	
37	2008	\$100,000,000	
38	2009	\$104,000,000	
39	2010	\$108,000,000	
40	2011	\$126,000,000	
41	2012	<u>\$126,000,000</u>	<u>\$116,000,000</u>
42	2013	<u>\$126,000,000</u>	<u>\$116,000,000</u>
43	2014	<u>\$116,000,000</u>	<u>\$10,000,000</u>
	2015	<u>\$116,000,000</u>	<u>\$10,000,000</u>

1 A-1. Beginning with the second regular session of the Legislature in fiscal year 1990
2 and every other year thereafter, on or before March 1st, the commissioner shall
3 recommend to the Legislature and the Legislature shall establish maximum debt
4 service limits for the next 2 biennia for which debt service limits have not been set
5 for major capital and integrated, consolidated secondary and postsecondary projects.

6 B. Nonstate funded projects, such as school construction projects or portions of
7 projects financed by proceeds from insured losses, money from federal sources, other
8 noneducational funds or local funds that are not eligible for inclusion in an
9 administrative unit's state-local allocation, are outside the total cost limitations set by
10 the Legislature.

11 SUMMARY

12 PART E

13 This Part revises the maximum debt service limit for school construction projects for
14 the 2012-2013 biennium and establishes the maximum debt service limit for the 2014-
15 2015 biennium as required by statute. It also provides a maximum debt service limit for
16 the construction of integrated, consolidated secondary and postsecondary projects.

OTP 13-0
(Rep. Soctomah)
OTP

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

PART K

Sec. K-1. Department of Education, Child Development Services. By March 31, 2011, the Commissioner of Education shall submit to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Education and Cultural Affairs a plan, including any necessary implementing legislation, that identifies savings in the Child Development Services program equal to at least 5% of the total fiscal year 2010-11 program budget and establishes limits on administration and transportation costs that do not affect services to children.

SUMMARY

PART K

This Part requires the Commissioner of Education to submit to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Education and Cultural Affairs a plan that identifies savings in the Child Development Services program.

OTP 13-0

(Rep. Sactomah)

ONTIP

* Please also see EDU narrative for other recommendations

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

2 PART S

3 Sec. S-1. 5 MRSA §1582, sub-§4, as amended by PL 2009, c. 571, Pt. GGGG,
4 §1, is further amended to read:

5 4. **Use of savings; personal services funds.** Savings accrued from unused funding
6 of employee benefits may not be used to increase services provided by employees.
7 Accrued salary savings generated within an appropriation or allocation for Personal
8 Services may be used for the payment of nonrecurring Personal Services costs only
9 within the account where the savings exist. Accrued savings generated from vacant
10 positions within a General Fund account's appropriation for Personal Services may be
11 used to offset Personal Services shortfalls in other General Fund accounts that occur as a
12 direct result of Personal Services appropriation reductions for projected vacancies, and
13 accrued savings generated within a Highway Fund account's allocations for Personal
14 Services may be used to offset Personal Services shortfalls in other Highway Fund
15 accounts that occur as a direct result of Personal Services allocation reductions for
16 projected vacancies; except that the transfer of such accrued savings is subject to review
17 by the joint standing committee of the Legislature having jurisdiction over appropriations
18 and financial affairs. Costs related to acting capacity appointments and emergency,
19 unbudgeted overtime for which it is impractical to budget in advance may be used with
20 the approval of the appointing authority. Other actions such as retroactive compensation
21 for reclassifications or reallocations and retroactive or one-time settlements related to
22 arbitrator or court decisions must be recommended by the department or agency head and
23 approved by the State Budget Officer. Salary and employee benefits savings may not be
24 used to fund recurring Personal Services actions either in the account where the savings
25 exist or in another account. At the close of each fiscal year, except for the Division of
26 Forest Protection account within the Department of Conservation, the Disproportionate
27 Share - Riverview Psychiatric Center and the Disproportionate Share - Dorothea Dix
28 Psychiatric Center accounts within the Department of Health and Human Services and the
29 Education in the Unorganized Territory account within the Department of Education, any
30 unexpended General Fund Personal Services appropriations to executive branch agencies
31 including accounts that are authorized to carry unexpended balances forward must lapse
32 to the Salary Plan program, General Fund account in the Department of Administrative
33 and Financial Services.

34 Sec. S-2. 34-B MRSA §1409, sub-§15, as amended by PL 2009, c. 571, Pt. SSS,
35 §1, is further amended to read:

36 15. **General Fund accounts; disproportionate share hospital match.** The
37 commissioner shall establish General Fund accounts to provide the General Fund match
38 for eligible disproportionate share hospital components in the Riverview Psychiatric
39 Center and the Dorothea Dix Psychiatric Center. Any unencumbered balances of General
40 Fund appropriations remaining at the end of each fiscal year must be carried forward to
41 be used for the same purposes. ~~Notwithstanding Title 5, section 1582, subsection 4 or~~
42 ~~any other provision of law, available~~ Available unencumbered balances at the end of each
43 fiscal year in the Personal Services line category of the accounts may be transferred to the

1 All Other line category by financial order upon the recommendation of the State Budget
2 Officer and approval of the Governor.

3 **SUMMARY**

4 **PART S**

5 This Part exempts the Department of Health and Human Services, Disproportionate
6 Share - Riverview Psychiatric Center and the Disproportionate Share - Dorothea Dix
7 Psychiatric Center accounts and the Department of Education, Education in the
8 Unorganized Territory account from the provision of the Maine Revised Statutes, Title 5,
9 section 1582, subsection 4 that lapses unexpended General Fund Personal Services
10 appropriations to the Salary Plan program, General Fund account at the close of each
11 fiscal year. It also amends the language in Title 34-B that allows Personal Services
12 balances in the Riverview Psychiatric Center and Dorothea Dix Psychiatric Center
13 disproportionate share accounts to be transferred to All Other to remove a cross-reference
14 that is no longer necessary.

OTP 13-0

(Rep. Sockomah)

OTP

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

2 PART W

3 Sec. W-1. 20-A MRSA §7001, sub-§2-A, as amended by PL 2007, c. 430, §1, is
4 further amended to read:

5 2-A. Free, appropriate public education. "Free, appropriate public education"
6 means special education and related services that are provided at public expense, under
7 public supervision and direction and without charge; meet the standards of the
8 department; include an appropriate preschool, elementary school or secondary school
9 education in the State; and are provided in conformity with the individualized family
10 service plan or individualized education program. ~~Preschool children with disabilities
11 who reach 5 years of age between July 1st and October 15th who are already receiving
12 free, appropriate public education through the Child Development Services System and
13 whose parents choose, in accordance with rules adopted by the commissioner, not to
14 enroll those children in kindergarten until the start of the following school year must have
15 free, appropriate public education available to them through the Child Development
16 Services System for one additional school year.~~

17 Sec. W-2. Department of Education; rule-making authority. The
18 Department of Education shall amend its rule, Maine Unified Special Education
19 Regulation, Chapter 101, in section V.1.A(3)(a)(i) to change the period required to
20 complete evaluation for children from 3 to 5 years of age from 60 calendar days to 45
21 school days. These rules are major substantive rules for the purposes of the Maine
22 Revised Statutes, Title 5, chapter 375, subchapter 2-A.

23 SUMMARY

24 PART W

25 This Part eliminates the provision that allows certain children to continue to receive
26 the services of the Child Development Services System for an additional year rather than
27 be enrolled in kindergarten. It also requires the Department of Education to amend its
28 rules regarding certain special education determinations.

Sec. W-1

ONTP 12 / OTP 1
(Req. Soctomah)
OTP

Sec. W-2

ONTP 10 / OTP 3

* Please also
see EDU
narrative for
other
recommendations

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

2 **PART Z**

3 **Sec. Z-1. Department of Education, Management Information Systems;**
4 **unexpended funds.** Notwithstanding any other provision of law, \$1,125,384 of
5 unexpended funds from the Department of Education, Management Information Systems
6 program, General Fund account, All Other line category shall lapse to the unappropriated
7 surplus of the General Fund no later than June 30, 2011.

8 **SUMMARY**

9 **PART Z**

10 This Part lapses \$1,125,384 of unexpended funds in the Department of Education,
11 Management Information Systems General Fund carrying account to the General Fund
12 unappropriated surplus no later than June 30, 2011.

Fiscal Note - Part Z

	FY 2010-11	FY 2011-12	FY 2012-13	Projections FY 2013-14	Projections FY 2014-15
Transfers					
General Fund					
PART Z, Section 1	\$1,125,384	\$0	\$0	\$0	\$0

OTP 13-0
(Rep. Soctomah)
OTP