

# MAINE STATE LEGISLATURE

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**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.**

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**Augusta, Maine**  
**2010**

Standing Committee on Utilities and Energy by November 1, 2010.

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

Effective April 1, 2010.

**CHAPTER 197**

**H.P. 389 - L.D. 551**

**Resolve, To Direct the Commissioner of Education To Review the Essential Programs and Services Funding Formula**

**Sec. 1. Review. Resolved:** That the Commissioner of Education, in conjunction with the Maine Education Policy Research Institute, shall conduct a review of certain education finance and policy issues associated with The Essential Programs and Services Funding Act established under the Maine Revised Statutes, Title 20-A, chapter 606-B. In conducting this review, the Commissioner of Education and the Maine Education Policy Research Institute shall:

1. Analyze the components of the essential programs and services funding formula, including analyses of:

A. The original policy goal or educational objective established for each of the essential programs and services cost components and a detailed description of the original and current methodology used to calculate the resources determined to be adequate for each cost component;

B. The subsidy distribution methodology originally established for the essential programs and services funding formula and the subsidy distribution methodology currently included in the school funding formula; and

C. The practices found in schools identified as higher-performing, more efficient schools and schools identified as lower-performing, less efficient schools by the Maine Education Policy Research Institute, including the best practices found in higher-performing, more efficient schools where the actual educational performance of specialized student populations exceeds the expected performance for these specialized student populations as compared to the actual and expected educational performance of similar students in other schools in the State;

2. Evaluate the current statutory framework related to the Commissioner of Education's annual funding level computations and funding level recommendations as set forth in the Maine Revised Statutes, Ti-

tle 20-A, chapter 606-B, as well as the provisions that provide for reviewing and updating certain essential programs and services cost components using information provided by a statewide educational policy research institute;

3. Propose any necessary changes to the current mechanisms that would permit the joint standing committee of the Legislature having jurisdiction over education matters the opportunity to review the most recent data available as the Legislature considers the enactment of legislation to appropriate the necessary funds for the State's share of the general purpose aid for local schools program and any changes to the essential programs and services funding formula necessary to respond to changing conditions; and

4. Make recommendations on the components and issues included in this section and on other matters relating to the essential programs and services funding formula; and be it further

**Sec. 2. Report. Resolved:** That, no later than January 3, 2011, the Commissioner of Education and the Maine Education Policy Research Institute shall submit a report that includes their findings and recommendations, including any suggested legislation, to the joint standing committee of the Legislature having jurisdiction over education matters.

See title page for effective date.

**CHAPTER 198**

**H.P. 1194 - L.D. 1693**

**Resolve, Regarding a Report on the Status of Federal Ship Ballast Water Discharge Rules**

**Sec. 1. Report. Resolved:** That the Department of Environmental Protection shall report to the joint standing committee of the Legislature having jurisdiction over natural resources matters by January 5, 2012 on the status of rulemaking by the United States Coast Guard relating to ship ballast water discharge.

See title page for effective date.

**CHAPTER 199**

**H.P. 1195 - L.D. 1694**

**Resolve, To Increase Transparency and Accountability and Assess the Impact of Tax Expenditure Programs**