

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
116TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 405, L.D. 1263, Bill, "An Act to Amend and Improve the Laws Related to Education"

Amend the bill by inserting after the enacting clause the following:

Sec. 1: 20-A M.R.S.A. §1253, sub-§2, ¶A, as amended by PL 1983, c. 422, §2, is further amended to read:

A. Under Methods Method A and-B:

(1) Within 60 days, but no earlier than 45 days after notification by the board of directors of the approval or reapportionment plan, the municipal officers shall call a special election to elect directors to serve under the plan for the school administrative district;

(2) Nomination papers shall must be furnished by the secretary of the district at least 10 days before the deadline for filing of nomination papers. Notwithstanding any other section of this Title, directors shall must be nominated by obtaining a minimum of 25 and a maximum of 50 signatures of registered voters residing within the subdistrict. The secretary shall notify the municipal officers of the names of candidates in each subdistrict;

(3) The ballots shall must be prepared in accordance with subparagraph (7);

(4) The clerks of each municipality shall forward to the secretary the results of the vote by subdistrict;

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COMMITTEE AMENDMENT "A" to S.P. 405, L.D. 1263

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(5) The board of directors shall meet and total the votes cast for each candidate within each subdistrict and shall immediately notify the clerks in each municipality, the candidates and the commissioner of the results of the vote;

(6) The terms of the directors elected under the original municipal representation system shall cease on the date that the newly elected directors are sworn into office; and

(7) Notwithstanding any other provision of statute, directors shall must be elected by secret ballot. The ballots shall must be prepared for and distributed to the municipalities or subdistricts by the secretary of the district.

**Sec. 2. 20-A MRSA §1253, sub-§2, ¶A-1 is enacted to read:**

A-1. Under Method B:

(1) Reductions in the number of directors must take place in accordance with section 1255, subsection 1, paragraph B;

(2) Additional directors must be added in accordance with section 1255, subsection 1, paragraph C; and

(3) The term of office of additional directors must be determined in accordance with section 1251, subsection 3.

**Sec. 3. 20-A MRSA §1255, sub-§10, ¶D, as amended by PL 1983, c. 485, §10, is repealed.**

**Sec. 4. 20-A MRSA §4504, sub-§2, as amended by PL 1991, c. 622, Pt. X, §4, is further amended to read:**

**2. Comprehensive reviews.** The commissioner shall, on a one-year to 5-year cycle, make a comprehensive review of each public school to determine whether the school is in compliance with basic school approval standards. These reviews must, insofar as is practicable, be coordinated with reviews of other schools in the school unit, accreditation visits, special education reviews, federal program reviews and other required reviews or inspections, so as to reduce administrative burdens on school personnel. ~~The provisions of this subchapter do not apply to the school years beginning in the fall of 1991, 1992, 1993, 1994 and 1995.~~ During the school years beginning in the fall of

1991, 1992, 1993, 1994 and 1995, the comprehensive reviews required by this subsection may include site visits.'

Further amend the bill by inserting after section 1 the following:

'Sec. 2. 20-A MRSA §15617, sub-§1, ¶¶A and B, as enacted by PL 1983, c. 859, Pt. G, §§2 and 4, are amended to read:

A. Its foundation allocation, its debt service allocation, if any, any additional expenditures authorized by statute; and

B. A summary of anticipated revenues and estimated school expenditures for the fiscal year; and

Sec. 3. 20-A MRSA §15617, sub-§1, ¶C is enacted to read:

C. The following statement, including the estimated dollar amount of state retirement payments: "This budget does not include the estimated amount of \$ \_\_\_\_\_ in employer share of teacher retirement costs. The employer share is paid 100% by the State."

Further amend the bill by inserting after section 7 the following:

'Sec. 8. Retroactivity. That section of this Act that amends the Maine Revised Statutes, Title 20-A, section 4504, subsection 2 applies retroactively to December 23, 1991.'

Further amend the bill to renumber the sections to read consecutively.

Further amend the bill by inserting at the end before the statement of fact the following:

#### FISCAL NOTE

Any additional local costs related to changing the process for electing school committee members of school administrative districts or requiring a change in the format for public school budgets will require 90% funding by the State as a state mandate pursuant to the Constitution of Maine. The General Fund appropriations required to fund these costs can not be estimated at this time.'

STATEMENT OF FACT

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This amendment amends the existing statute outlining the process for election of directors to the school board of a school administrative district, or SAD. The amendment clarifies the process for increasing and decreasing the number of directors in an SAD and for determining the length of the director's term of office.

The amendment corrects a change made in the school approval rules during the 115th Legislature that inadvertently repealed the authority of the Commissioner of Education to carry out the school approval process. The amendment makes clear that as a cost-saving measure, site visits to local schools are not mandatory during the school years beginning in 1991, 1992, 1993, 1994 and 1995.

The amendment adds a provision requiring that all public school budget documents include a statement that the budget does not include the estimated employer expense for teacher retirement costs. The budget must include the estimated employer cost for teacher retirement, which is paid 100% by the State.

The amendment also adds a fiscal note to bill.

Reported by Senator Lawrence for the Committee on Education.  
Reproduced and Distributed Pursuant to Senate Rule 12.  
(6/2/93) (Filing No. S-262)