

MAINE STATE LEGISLATURE

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L.D. 1921

DATE: 4-27-04

(Filing No. H-960)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
SECOND SPECIAL SESSION

HOUSE AMENDMENT "D" to COMMITTEE AMENDMENT "A" to H.P. 1422, L.D. 1921, Bill, "An Act To Encourage Voluntary Efficiency in Maine's School Systems and Related Costs Savings"

Amend the amendment by striking out everything after the first indented paragraph after the title and inserting in its place the following:

Sec. 1. 5 MRSA §12004-I, sub-§75-C is enacted to read:

<u>75-C.</u>	<u>Educational</u>	<u>Legislative</u>	<u>30-A</u>
<u>State</u>	<u>Efficiency</u>	<u>Per Diem</u>	<u>MRSA</u>
<u>Government</u>	<u>Advisory</u>	<u>and Expenses</u>	<u>§2181</u>
	<u>Group</u>	<u>for Legis-</u>	
		<u>lators and</u>	
		<u>Expenses Only</u>	
		<u>for Certain</u>	
		<u>Members</u>	

Sec. 2. 30-A MRSA c. 114 is enacted to read:

CHAPTER 114

INTERGOVERNMENTAL COOPERATION

§2181. Educational Efficiency Advisory Group

The Educational Efficiency Advisory Group, established by Title 5, section 12004-I, subsection 75-C and referred to in this chapter as "the advisory group," shall work on ways to improve communication and cooperation between schools, school administrative units and other units of local and regional government and promote efficient and cost-effective delivery of educational services for children in this State.

2 1. Advisory group membership. The advisory group consists
4 of the following 15 members:

6 A. One member of the Senate appointed by the President of
8 the Senate;

10 B. One member of the House of Representatives who is not a
12 member of the same political party as the Senator appointed
14 under paragraph A appointed by the Speaker of the House;

16 C. The Commissioner of Education or a designee of the
18 commissioner;

20 D. The Director of the State Planning Office within the
22 Executive Department or a designee of the director;

24 E. Two members representing elected school boards appointed
26 by the Governor from a list of nominees provided by the
28 Maine School Board Association;

30 F. Two members representing superintendents of schools
32 appointed by the Governor from a list of nominees provided
34 by an association of Maine school superintendents;

36 G. Two members representing school principals appointed by
38 the Governor from a list of nominees provided by the
40 professional division of the Maine Principals' Association;

42 H. Two members representing kindergarten to grade 12 public
44 school teachers appointed by the Governor from a list of
46 nominees provided by the Maine Education Association;

48 I. Two members of the public who have experience or
expertise in the areas of educational research or programs,
intergovernmental relations, public service delivery or
systems integration appointed by the Governor; and

J. One member who is a parent of a student in a public
school in this State with a student population of less than
300 appointed by the Governor.

In selecting members of the advisory group, the Governor shall
make every effort to ensure that different regions of the State
are represented and that schools, school administrative units and
municipalities of various sizes are fairly represented.

2. Chairs. The members of the advisory group shall select
from their membership a chair or chairs of the advisory group.

2 3. Terms of appointment. The terms of appointment are as
4 follows.

6 A. Of the initial gubernatorial appointments, 4 must be for
8 terms of 3 years, 4 must be for terms of 2 years and 3 must
10 be for terms of one year as determined by the Governor.

12 B. Subsequent gubernatorial appointments must be for terms
14 of 3 years, except that if a member is unable to complete
16 the term, the Governor shall appoint a person to serve out
18 the remainder of the unexpired term.

20 C. The term for an elected official must be for the term of
22 office of the person appointed.

24 D. A member who is a gubernatorial appointee may not serve
26 for more than 6 years. A member may continue to serve until
28 a replacement is designated.

30 4. Duties. The advisory group shall:

32 A. Study ways to reduce duplication and improve efficiency
34 between and among schools, school administrative units and
36 other units of local government;

38 B. Promote communication, cooperation and efficient delivery
40 of educational services, including collecting data and
42 reporting on current efforts by schools and school
44 administrative units to control costs and improve
46 efficiencies;

48 C. Design and propose processes by which the State may
50 offer guidance, technical support and incentives to
encourage efficiency of educational service delivery;

D. Work with schools, school administrative units and other
units of local government to design and implement pilot
programs that result in cost savings or improved services;

E. Identify efficient and effective management practices and
make this information available to the public;

F. Propose legislation for submission to the Legislature on
or before December 1st annually to implement any
recommendations of the advisory group; and

G. Report to the joint standing committee of the
Legislature having jurisdiction over education matters
annually in January on the activities and effectiveness of

the advisory group and recommend changes to the advisory group's organizational structure, if any.

5. Meetings. The advisory group shall meet at least 4 times a year and may not meet more than 8 times a year.

6. Quorum; actions. A quorum is a majority of the members of the advisory group. An affirmative vote of the majority of the members present at a meeting is required for any action.

7. Attendance. If a member of the advisory group fails more than one time to notify the chair about an absence from a meeting, the original appointing authority may appoint a replacement for that member.

8. Staff assistance. The Department of Education shall provide staff and support services for the advisory group from within existing resources of the department.

9. Funding. The advisory group is authorized to seek, accept and expend funding to carry out the advisory group's program activities, subject to approval by the joint standing committee of the Legislature having jurisdiction over education matters. All funds accepted must be forwarded to the Executive Director of the Legislative Council, who shall administer any funds received by the advisory group.

10. Compensation. Legislative members of the advisory group are entitled to receive the legislative per diem as defined in Title 3, section 2 and reimbursement for expenses according to Title 5, section 12004-I, subsection 75-C. Public members not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses incurred for their attendance at authorized meetings of the advisory group.

Sec. 3. Report on strategies to deal with rising fixed costs for schools and school administrative units. The Educational Efficiency Advisory Group established in the Maine Revised Statutes, Title 30-A, section 2181 shall undertake a study of rising costs over which local school administrative units and municipalities have little direct control, including, but not limited to:

1. Employee health insurance and other employee benefit-related costs;

2. Worker's compensation and other employer-related costs;

3. Liability and other insurance-related costs;

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HOUSE AMENDMENT "D" to COMMITTEE AMENDMENT "A" to H.P. 1422,
L.D. 1921

- 2 4. Fuel and other energy-related costs;
- 4 5. Maintenance and other facility-related costs;
- 6 6. The system of learning results as established in Title
- 8 20-A, section 6209 and local assessment and other state
- mandate-related costs; and
- 10 7. The costs associated with the federal No Child Left
- 12 Behind Act of 2001, special education and other federal
- mandate-related costs.

14 The Educational Efficiency Advisory Group shall prepare and
16 submit a report by April 1, 2005 to the First Regular Session of
18 the 122nd Legislature containing its findings and recommendations
 with regard to strategies for controlling the costs specified in
 subsections 1 to 7.

20 **Sec. 4. Appropriations and allocations.** The following
22 appropriations and allocations are made.

24 **LEGISLATURE**

26 **Legislature**

28 Initiative: Provides funds for the per diem and expenses of the
30 legislative members of the Educational Efficiency Advisory Group.

32 General Fund	2003-04	2004-05
Personal Services	\$0	\$880
All Other	0	800
34	<hr/>	<hr/>
General Fund Total	\$0	\$1,680

36 **Legislature**

38 Initiative: Allocates funds in the event that additional
40 dedicated revenue is received to carry out the advisory group's
42 program activities.

44 Other Special Revenue Funds	2003-04	2004-05
Personal Services	\$0	\$500
46	<hr/>	<hr/>
Other Special Revenue Funds Total	\$0	\$500

48 **LEGISLATURE**

50 DEPARTMENT TOTALS	2003-04	2004-05
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HOUSE AMENDMENT

R. O. S.


HOUSE AMENDMENT "D" to COMMITTEE AMENDMENT "A" to H.P. 1422,
L.D. 1921

2	General Fund	\$0	\$1,680
	OTHER Special Revenue Funds	0	500
4	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$2,180'</u>

SUMMARY

8
 10 This amendment creates the Educational Efficiency Advisory
 12 Group to foster communication and cooperation between schools,
 14 school administrative units and other units of local and regional
 16 government and to promote efficient and cost-effective delivery
 18 of educational services for children in Maine.

FISCAL NOTE REQUIRED
(See attached)

18
 20
 22 SPONSORED BY: 
 (Representative BOWEN)

24 TOWN: Rockport

26

HOUSE AMENDMENT

**121st Maine Legislature
Office of Fiscal and Program Review**

**LD 1921**

**An Act To Encourage Voluntary Efficiency in Maine's School Systems
and Related Costs Savings**

LR 2782(09)

Fiscal Note for House Amendment " "to Committee Amendment " "

Sponsor: Rep. Bowen

Fiscal Note Required: Yes

Fiscal Note

	2003-04	2004-05	Projections 2005-06	Projections 2006-07
Net Cost (Savings)				
General Fund	\$0	\$1,680	\$1,680	\$1,680
Appropriations/Allocations				
General Fund	\$0	\$1,680	\$1,680	\$1,680
Other Special Revenue Funds	\$0	(\$3,626,553)	(\$7,532,280)	(\$15,945,964)
Revenue				
Other Special Revenue Funds	\$0	\$500	\$0	\$0
Transfers				
Other Special Revenue Funds	\$0	(\$3,627,053)	(\$7,532,280)	(\$15,945,964)

Fiscal Detail and Notes

This amendment increases the General Fund cost of the bill by \$1,680 per year beginning in fiscal year 2004-05. This amendment also decreases the Other Special Revenue Funds cost of the bill by \$3,626,553 in fiscal year 2004-05.

As amended, the Legislature will require a General Fund appropriation of \$1,680 annually beginning in fiscal year 2004-05 for the per diem and expenses of legislative members of the Educational Efficiency Advisory Group. As amended, the bill also authorizes the advisory group to seek outside sources of funding to support its activities. The bill includes an Other Special Revenue Funds allocation of \$500 in fiscal year 2004-05 to establish a base allocation to authorize expenditures of dedicated revenue in the event that funds are received to support the activities of the advisory group.

As amended, this bill requires the Department of Education to provide staff and support services for the advisory group within existing resources. This legislation also allows non-legislative members to receive reimbursement of necessary expenses incurred while attending advisory group meetings if they are not otherwise compensated by their employers. Since this amendment does not identify a specific source of funding for the compensation, this fiscal note assumes that the Department of Education would also be required to provide the compensation to non-legislative members within existing resources. The cost to the department can not be determined at this time.