

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 443

H.P. 328

House of Representatives, January 27, 2005

An Act To Encourage Cooperation between School Districts

Reference to the Committee on State and Local Government suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BOWEN of Rockport.

Cosponsored by Representatives: BARSTOW of Gorham, BISHOP of Boothbay, DAVIS of Falmouth, FISCHER of Presque Isle, MERRILL of Appleton, STEDMAN of Hartland.

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

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

6	<u>75-D.</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>§2221</u>
8		<u>Group</u>	<u>for Legis-</u>	
10			<u>lators and</u>	
12			<u>Expenses Only</u>	
			<u>for Certain</u>	
			<u>Members</u>	

14 **Sec. 2. 30-A MRSA c. 116 is enacted to read:**

16 **CHAPTER 116**

18 **INTERGOVERNMENTAL EDUCATION COOPERATION**

20 **§2221. Educational Efficiency Advisory Group**

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

30 1. Advisory group membership. The advisory group consists
32 of the following 17 members:

34 A. Two members of the Senate, one of whom must be from the
36 majority party and one of whom must be from the party
holding the 2nd-largest number of seats in the Senate,
appointed by the President of the Senate;

38 B. Two members of the House of Representatives, one of whom
40 must be from the majority party and one of whom must be from
42 the party holding the 2nd-largest number of seats in the
House, appointed by the Speaker of the House;

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

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

50 E. Two members representing elected school boards, appointed
by the Governor from a list of nominees provided by the
52 Maine School Board Association;

2 F. Two members representing superintendents of schools,
3 appointed by the Governor from a list of nominees provided
4 by an association of Maine school superintendents;

5 G. Two members representing school principals, appointed by
6 the Governor from a list of nominees provided by the
7 professional division of the Maine Principals' Association;

8 H. Two members representing kindergarten to grade 12 public
9 school teachers, appointed by the Governor from a list of
10 nominees provided by the Maine Education Association;

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

15 J. One member who is a parent of a student in a public
16 school with a student population of less than 300, appointed
17 by the Governor.

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

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

24 3. Terms of appointment. The terms of appointment are as
25 follows.

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

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

33 C. The term for an elected official must be for the term of
34 office of the person appointed.

35 D. A member who is a gubernatorial appointee may not serve
36 for more than 6 years, except that a member may continue to
37 serve until a replacement is designated.

38 4. Duties. The advisory group shall:

- 2 A. Study ways to reduce duplication and improve efficiency
3 between schools, school administrative units and other units
4 of local government;
- 6 B. Promote communication, cooperation and efficient delivery
7 of education services. This duty includes collecting data
8 and reporting on current efforts by schools and school
9 administrative units to control costs and improve
10 efficiencies;
- 12 C. Design and propose processes by which the State may
13 offer guidance, technical support and incentives to
14 encourage efficiency of education service delivery;
- 16 D. Work with schools, school administrative units and other
17 units of local government to design and implement pilot
18 programs that result in cost savings or improved services;
- 20 E. Identify efficient and effective management practices and
21 make this information available to the public;
- 22 F. Propose legislation for submission to the Legislature on
23 or before December 1st annually to implement any
24 recommendations of the advisory group; and
- 26 G. Report to the joint standing committee of the
27 Legislature having jurisdiction over education matters
28 annually in January on the activities and effectiveness of
29 the advisory group and recommend changes, if any, to the
30 advisory group's organizational structure.
- 32 5. Meetings. The advisory group shall meet at least 4
33 times a year and may not meet more than 8 times a year.
- 34 6. Quorum; actions. A quorum is a majority of the members
35 of the advisory group. A concurring vote of a majority of the
36 members present at a meeting is required for any action.
- 38 7. Attendance. If a member of the advisory group fails
39 more than one time to notify the chair about an absence from a
40 meeting, the original appointing authority may appoint a
41 replacement for that member.
- 44 8. Staff assistance. The Department of Education shall
45 provide staff and support services for the advisory group from
46 within existing resources of the department.
- 48 9. Funding. The advisory group is authorized to seek,
49 accept and expend funding to carry out the advisory group's
50 program activities, subject to approval by the joint standing

2 committee of the Legislature having jurisdiction over education
3 matters. All funds accepted must be forwarded to the Executive
4 Director of the Legislative Council, who shall administer any
5 funds received by the advisory group.

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

14
15 **Sec. 3. Report on strategies to deal with rising fixed costs for schools**
16 **and school administrative units.** The Educational Efficiency Advisory
17 Group established in the Maine Revised Statutes, Title 30-A,
18 section 2221 shall undertake a study of rising costs over which
19 local school administrative units and municipalities have little
20 direct control, including, but not limited to:

- 21 1. Employee health insurance and other costs related to
22 employee benefits;
- 23 2. Worker's compensation and other employee-related costs;
- 24 3. Liability and other insurance-related costs;
- 25 4. Fuel and other energy-related costs;
- 26 5. Maintenance and other facility-related costs;
- 27 6. The system of learning results as established in Title
28 20-A, section 6209 and local assessment and other costs related
29 to state mandates; and
- 30 7. The costs associated with the federal No Child Left
31 Behind Act of 2001, special education and other federal mandates.

32
33 The Educational Efficiency Advisory Group shall prepare and
34 submit a report by March 1, 2006 to the Second Regular Session of
35 the 122nd Legislature containing its findings and recommendations
36 with regard to strategies for controlling the costs specified in
37 subsections 1 to 7.

38
39 **Sec. 4. Appropriations and allocations.** The following
40 appropriations and allocations are made.

41

42 **LEGISLATURE**

2 **Legislature**

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

8	GENERAL FUND	2005-06	2006-07
10	Personal Services	\$880	\$880
10	All Other	800	800
12	GENERAL FUND TOTAL	<u>\$1,680</u>	<u>\$1,680</u>

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

20	OTHER SPECIAL REVENUE FUNDS	2005-06	2006-07
22	Personal Services	\$500	\$500
24	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$500</u>	<u>\$500</u>

24 **LEGISLATURE**

26	DEPARTMENT TOTALS	2005-06	2006-07
28	GENERAL FUND	\$1,680	\$1,680
28	OTHER SPECIAL REVENUE FUNDS	500	500
30	DEPARTMENT TOTAL - ALL FUNDS	<u>\$2,180</u>	<u>\$2,180</u>

32

34 **SUMMARY**

36 This bill establishes the Educational Efficiency Advisory
38 Group to foster communication and cooperation between schools,
 school administrative units and other units of local and regional
40 government and to promote efficient and cost-effective delivery
 of education services for children in Maine.