

# MAINE STATE LEGISLATURE

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L.D. 1932

Date: 3-5-08

(Filing No. H- 716)

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
123RD LEGISLATURE  
SECOND REGULAR SESSION

HOUSE AMENDMENT “D” to COMMITTEE AMENDMENT “A” to S.P. 741,  
L.D. 1932, Bill, “An Act To Amend the Laws Regarding School Funding”

Amend the amendment by inserting after section 2 the following:

‘Sec. 3. 20-A MRSA §1461, sub-§3, ¶B, as enacted by PL 2007, c. 240, Pt.  
XXXX, §13, is amended to read:

B. In order for the plan to be approved by the commissioner, the governing bodies of  
school administrative units shall work within the following parameters.

(1) The proposed regional school unit must serve not fewer than 2,500 students,  
except where circumstances relating to the following factors justify an exception:

- (a) Geography, including physical proximity and the size of the current school administrative unit;
- (b) Demographics, including student enrollment trends and the composition and nature of communities in the regional school unit;
- (c) Economics, including existing collaborations to be preserved or enhanced and opportunities to deliver commodities and services to be maximized;
- (d) Transportation;
- (e) Population density; or
- (f) Other unique circumstances including the need to preserve existing or developing relationships, meet the needs of students, maximize educational opportunities for students and ensure equitable access to rigorous programs for all students.

When circumstances justify an exception to the size requirement of 2,500 students, the unit must serve as close to 2,500 students as possible and in no case, except for coastal islands and schools operated by tribal school committees, may it serve fewer than 1,200 students.

**HOUSE AMENDMENT**

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HOUSE AMENDMENT "D" to COMMITTEE AMENDMENT "A" to S.P. 741, L.D. 1932

1 In addition to the exceptions provided in this subparagraph to the requirement that a  
2 unit serve at least 1,200 students, the commissioner shall waive the 1,200-student  
3 requirement if a school administrative unit has demonstrated due diligence in  
4 pursuing school consolidation conversations as required by law but due to decisions  
5 made by other potential partners are surrounded by approved regional school units  
6 and there are no other school administrative units available to join the proposed  
7 regional school unit.

8 (2) The plan must provide comprehensive programming for all students from  
9 kindergarten to grade 12 and must include at least one publicly supported  
10 secondary school.

11 (3) The plan must be consistent with the policies set forth in section 1451.

12 (4) The plan may not displace teachers or students or close any schools existing  
13 and operating during the school year immediately preceding reorganization,  
14 except as permitted under section 1512.

15 Amend the amendment by inserting before section 12 the following:

16 **'Sec. 12. PL 2007, c. 240, Pt. XXXX, §36, sub-§6, ¶A** is amended to read:

17 A. The proposed regional school unit must serve not fewer than 2,500 students,  
18 except where circumstances relating to the following factors justify an exception:

19 (1) Geography, including physical proximity and the size of the current school  
20 administrative unit;

21 (2) Demographics, including student enrollment trends and the composition and  
22 nature of communities in the regional school unit;

23 (3) Economics, including existing collaborations to be preserved or enhanced  
24 and opportunities to deliver commodities and services to be maximized;

25 (4) Transportation;

26 (5) Population density, including the rural nature of our communities;

27 (6) Other unique circumstances including the need to preserve existing or  
28 developing relationships, meet the needs of students, maximize educational  
29 opportunities for students and ensure equitable access to rigorous programs for  
30 all students; or

31 (7) If, after performing due diligence to develop a regional plan that meets the  
32 2,500 students enrollment requirement, a school administrative unit is unable to  
33 achieve the enrollment goal due to the decision of geographically proximate  
34 school administrative units to participate in a different regional unit.

35 When circumstances justify an exception to the requirement of 2,500 students, the  
36 unit must serve at least 1,200 students, except for offshore islands and schools  
37 operated by tribal school committees, which may serve fewer than 1,200 students.

38 In addition to the exceptions provided in this paragraph to the requirement that a unit  
39 serve at least 1,200 students, the commissioner shall waive the 1,200-student  
40 requirement if a school administrative unit has demonstrated due diligence in

1 pursuing school consolidation conversations as required by law but due to decisions  
2 made by other potential partners are surrounded by approved regional school units  
3 and there are no other school administrative units available to join the proposed  
4 regional school unit.'

5 Amend the amendment by relettering or renumbering any nonconsecutive Part letter  
6 or section number to read consecutively.

7 **SUMMARY**

This amendment provides that in addition to the exceptions provided by law to the requirement that a school unit serve at least 1,200 students, the Commissioner of Education shall waive the 1,200-student requirement if a unit has demonstrated due diligence in pursuing consolidation and is surrounded by approved regional school units.

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**FISCAL NOTE REQUIRED**

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(See attached)

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SPONSORED BY:

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(Representative CARTER)

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TOWN: Bethel



# 123rd MAINE LEGISLATURE

LD 1932

LR 3324(35)

## An Act To Amend the Laws Regarding School Funding

**Fiscal Note for House Amendment "D" to Committee Amendment "A"**

**Sponsor: Rep. Carter of Bethel**

**Fiscal Note Required: Yes**

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### Fiscal Note

Potential future biennium cost increase - General Fund

#### **Fiscal Detail and Notes**

Requiring the Commissioner of Education to waive the requirement that a school unit serve at least 1,200 students if a unit has demonstrated due diligence in pursuing consolidation but is unable to find other school administrative units in which to partner with due to decisions made by the potential partners may increase the total cost of K-12 public education in future biennia due to less savings being achieved versus what was anticipated in Public Law 2007, chapter 240, Part XXXX. The amount can not be determined at this time and will depend on the number of school administrative units affected.