

MAINE STATE LEGISLATURE

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EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1187, L.D. 1686, Bill, "An Act To Allow Minor Capital School Improvement Projects To Be Permitted Costs under Essential Programs and Services"

Amend the bill by striking out the title and substituting the following:

'Resolve, To Clarify the Reporting of Debt Service Costs and the Allowance of Minor Capital School Improvement Projects Costs under Essential Programs and Services'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, many school administrative units have an immediate need to submit proposals for approval under the school funding formula for recognition of non-state-funded debt service expenditures incurred for minor capital school improvement projects; and

Whereas, it may be necessary to change the law to allow for reimbursement for these non-state-funded debt service expenditures; and

Whereas, a review of current law and state policy pertaining to the funding and reporting requirements for these projects must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

COMMITTEE AMENDMENT

1 **Sec. 1. Review of essential programs and services requirements for non-**
2 **state-funded debt service expenditures incurred for minor capital school**
3 **improvement projects. Resolved:** That the Commissioner of Education shall
4 convene a stakeholder group to review current state law related to recognizing, funding
5 and approving non-state-funded debt service costs incurred for minor capital school
6 improvement projects; and be it further

7 **Sec. 2. Stakeholder group. Resolved:** That the Commissioner of Education or
8 the commissioner's designee is a member of the stakeholder group. The Commissioner of
9 Education shall invite the participation of representatives of the following educational
10 associations:

- 11 1. The Maine School Superintendents Association;
- 12 2. The Maine Association of School Business Officials; and
- 13 3. The Maine School Boards Association.

14 The commissioner may invite any other person the commissioner determines will
15 contribute to the development of effective policies related to the issues to be reviewed by
16 the stakeholder group; and be it further

17 **Sec. 3. Duties. Resolved:** That the Commissioner of Education and the
18 stakeholder group shall review the provisions of the Essential Programs and Services
19 Funding Act pertaining to funding and reporting requirements for approval for
20 reimbursement of non-state-funded debt service costs incurred for minor capital school
21 improvement projects. The stakeholder group shall develop recommendations to change,
22 as necessary, relevant provisions in the school funding formula to appropriately address
23 these local expenditures. The recommendations must include, but are not limited to,
24 recommendations relating to:

25 1. How school administrative unit expenditures for non-state-funded debt service
26 costs incurred for minor capital school improvement projects should be recognized under
27 the Essential Programs and Services Funding Act, particularly with respect to how these
28 expenditures should be counted towards the amount of locally raised funds that meet or
29 exceed the local cost share expectation as defined in the Maine Revised Statutes, Title
30 20-A, section 15671-A, subsection 1, paragraph B;

31 2. The types of expenditures, including the replacement of windows, a boiler or a
32 roof, that may be included as non-state-funded debt service costs incurred for minor
33 capital school improvement projects that are recognized as part of the amount of locally
34 raised funds that meet the local cost share expectation;

35 3. How school administrative units should report expenditures for non-state-funded
36 debt service expenditures incurred for minor capital school improvement projects;

37 4. How to clarify the school funding formula requirements related to the adoption and
38 approval of expenditures for non-state-funded debt service costs incurred for minor
39 capital school improvement projects, including how to more effectively communicate to
40 the public how these expenditures are reflected in the language that is included in school
41 budget articles and explanations that are presented to the voters to adopt and approve the
42 school budget; and



124th MAINE LEGISLATURE

LD 1686

LR 2311(02)

An Act To Allow Minor Capital School Improvement Projects To Be Permitted Costs under Essential Programs and Services

Fiscal Note for Bill as Amended by Committee Amendment "A"
Committee: Education and Cultural Affairs
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the Department of Education to conduct the required review and prepare the required report can be absorbed within existing budgeted resources.