

MAINE STATE LEGISLATURE

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Date: 3/27/18

L.D. 1829
(Filing No. H-694)

EDUCATION AND CULTURAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1271, L.D. 1829, Bill, "An Act To Amend the Laws Governing Education"

Amend the bill by striking out all of sections 11 and 12 and inserting the following:

'Sec. 11. 20-A MRSA §8601-A, sub-§1, as amended by PL 2013, c. 167, Pt. C, §1, is further amended to read:

1. Adult education. "Adult education" means an education program primarily operated for individuals beyond the compulsory school age that is administered by school administrative units through a career pathways and service system and that, except as provided in section 8602-B, includes intake, assessment, advising, instruction and individual learning plans; is guided by data management and analysis, annual monitoring and annual professional development plans; uses appropriately certified staff; is designed to meet identified local needs; makes use of partnerships and alignment with workforce development, postsecondary institutions and support services; and offers at least 3 of the following:

- A. Basic literacy instruction or instruction in English as a Second Language;
- B. High school completion courses;
- C. College transition courses;
- ~~E. Enrichment courses;~~
- F. Adult workforce training and retraining; and
- G. Adult career and technical education.

"Adult education" also includes enrichment courses offered as part of a school administrative unit's adult education program in accordance with section 8613.'

Amend the bill by inserting after section 13 the following:

'Sec. 14. 20-A MRSA §8613 is enacted to read:

COMMITTEE AMENDMENT

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§8613. Enrichment courses

Notwithstanding any other provision of this chapter, a school administrative unit may offer enrichment courses as part of its adult education program as long as the school administrative unit tracks and reports annually to the department the number of enrichment courses offered and the total student enrollment in those courses. A school administrative unit is not required to undertake student intake, assessment, advising, instruction and individual learning plans for enrichment courses.'

Amend the bill by inserting after section 15 the following:

'Sec. 16. 20-A MRS §15672, sub-§23, as amended by PL 2017, c. 284, Pt. C, §§27 and 28, is further amended to read:

23. Property fiscal capacity. "Property fiscal capacity" means:

- A. Prior to fiscal year 2014-15, the certified state valuation for the year prior to the most recently certified state valuation;
- B. For fiscal year 2014-15, the average of the certified state valuations for the 2 most recent years prior to the most recently certified state valuation;
- C. For fiscal years 2015-16, 2016-17 and 2017-18, the average of the certified state valuations for the 3 most recent years prior to the most recently certified state valuation; and
- D. For fiscal year 2018-19 ~~and each subsequent fiscal year~~, the average of the certified state valuations for the 2 most recent years prior to the most recently certified state valuation; and
- E. For fiscal year 2019-20 and each subsequent fiscal year, the average of the certified state valuations for the 3 most recent years prior to the most recently certified state valuation or the certified state valuation for the most recent prior year, whichever is lower.'

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

SUMMARY

This amendment amends the definition of "adult education." Current law includes enrichment courses in the list of options that comprise an adult education program. This amendment removes enrichment courses from that list, but keeps enrichment courses as a part of "adult education." The amendment clarifies that enrichment courses are not subject to requirements placed on other types of courses included in adult education. The amendment retains the definition in current law of "enrichment course" in order to keep enrichment courses in the adult education laws.

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COMMITTEE AMENDMENT "A" to H.P. 1271, L.D. 1829

1 The amendment also stabilizes state funding for education in fiscal year 2019-20 and
2 each subsequent fiscal year by requiring the property fiscal capacity component of the
3 essential programs and services funding formula to be based on the average of the 3 most
4 recent years of the property values of the municipalities included in a school
5 administrative unit or of the most recent prior year, whichever is lower.

6 **FISCAL NOTE REQUIRED**

7 (See attached)



Approved: 03/27/18 *MAC*

128th MAINE LEGISLATURE

LD 1829

LR 2730(02)

An Act To Amend the Laws Governing Education

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-694)

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Fiscal Note

No state fiscal impact

Fiscal Detail and Notes

Requiring the property fiscal capacity component of the school funding formula to be based on a 3-year average of the property values of a municipality included in a school administrative unit (SAU) or on the certified state valuation for the most recent prior year, whichever is lower, beginning in fiscal year 2019-20 will not change the total state and local cost of K-12 public education or the state's share of that cost. It may, however, result in a higher mill rate expectation which may affect the required local contribution for local school administrative units. The impact to individual SAU's can not be determined at this time.