

# MAINE STATE LEGISLATURE

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Date 6/6/23

L D 1160  
(Filing No H-353)

**EDUCATION AND CULTURAL AFFAIRS**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
131ST LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H P 732, L D 1160, "Resolve, Directing the Department of Education to Conduct a Study on the Equity of the State Education Subsidy Formula"

Amend the resolve by striking out the title and substituting the following

**'Resolve, Directing the Department of Education to Analyze Data on the Essential Programs and Services Funding Formula and Allocation Methodology'**

Amend the resolve by striking out everything after the title 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,** the study must begin before the 90-day period expires so that the Department of Education and the Maine Education Policy Research Institute have sufficient time to fully review the matters addressed in this resolve, 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

**Sec. 1. Department of Education to identify and conduct an analysis on school funding and allocation methodology. Resolved:** That the Department of Education, referred to in this resolve as "the department," in conjunction with the Maine Education Policy Research Institute, shall identify and analyze all school funding data and reports available through or compiled by the Maine Education Policy Research Institute, the so-called Picus report and any other relevant data and reports available to the department in order to make recommendations to the Joint Standing Committee on Education and Cultural Affairs The analysis must include, but is not limited to, data and reports relating to the following components of the school funding formula in the Maine Revised Statutes, Title 20-A

**COMMITTEE AMENDMENT**

1           1 Transportation cost allocations under section 15681-A, subsection 3, including the  
2 predicted per-pupil transportation costs and transportation for secondary school students  
3 and transportation to and from cocurricular and extracurricular activities,

4           2 The determination of a municipality's ability to contribute to school funding through  
5 the calculation of the property fiscal capacity as defined in section 15672, subsection 23  
6 through the certified state valuation and the potential inclusion of median income in the  
7 allocation methodology and its impact on equity,

8           3 The essential programs and services allocation model for career and technical  
9 education centers and regions under chapter 313, including but not limited to

10           A The effect of the allocation model implemented in the 129th Legislature and the  
11 calculation of the per-pupil rate, and

12           B Career and technical education center and region costs for transportation for students  
13 to and from work sites, annual updates and replacements necessary for equipment  
14 specific to centers and regions, the infrastructure costs necessary to accommodate those  
15 upgrades and the staffing necessary to lower the ratio between students and staff,

16           4 The calculations and metrics, including options for alternative metrics, for the  
17 economically disadvantaged student factor under section 15675, subsection 2, the  
18 economically disadvantaged student adjustment under section 15689, subsection 11 and  
19 any other targeted funds to support economically disadvantaged students, and

20           5 Any other components or issues identified before or during the department's analysis  
21 that impact equity in the essential programs and services funding formula and allocation  
22 methodology and that require further data collection or analysis, including but not limited  
23 to recent changes in school operations, the labor market and teacher salaries and shortages

24           In analyzing each component, the department shall consider the accuracy of the data  
25 available, the interconnectedness of the essential programs and services funding formula  
26 components, the positive and negative implications of any changes, either alone or in  
27 combination with other changes, the impacts on local funding, including the potential for  
28 cost shifts at the school administrative unit level, the impact on funding at the state level,  
29 and the potential for unintended consequences

30           **Sec. 2. Updates; report; legislation. Resolved:** That the department shall provide  
31 monthly updates to the Joint Standing Committee on Education and Cultural Affairs on the  
32 identification of data and reports and the analysis conducted under section 1 No later than  
33 January 15, 2024, the department shall submit a final report to the Joint Standing  
34 Committee on Education and Cultural Affairs with its findings, recommendations and  
35 suggested legislation The report must include a thorough analysis of the data and reports  
36 that were considered, identification of data or other areas that require further study and  
37 recommendations on any changes to the essential programs and services funding formula  
38 model and allocation methodology that could be implemented immediately and those that  
39 could be implemented in the future The Joint Standing Committee on Education and  
40 Cultural Affairs may report out legislation to the Second Regular Session of the 131st  
41 Legislature related to the subject matter of the report

42           **Sec. 3. Appropriations and allocations. Resolved:** That the following  
43 appropriations and allocations are made

1 **EDUCATION, DEPARTMENT OF**  
2 **School Finance and Operations Z078**

3 Initiative Provides one-time funds for the costs associated with conducting an analysis of  
4 certain components of the school funding model and the allocation methodology

5	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
6	All Other	\$50,000	\$0
7			
8	<b>GENERAL FUND TOTAL</b>	<u>\$50,000</u>	<u>\$0</u>

9

10 **Emergency clause.** In view of the emergency cited in the preamble, this legislation  
11 takes effect when approved '

12 Amend the resolve by relettering or renumbering any nonconsecutive Part letter or  
13 section number to read consecutively

14 **SUMMARY**

15 This amendment strikes and replaces the resolve and adds an emergency preamble and  
16 emergency clause The amendment directs the Department of Education, in conjunction  
17 with the Maine Education Policy Research Institute, to identify and analyze all school  
18 funding data and reports available through or compiled by the Maine Education Policy  
19 Research Institute, the so-called Picus report and any other relevant data and reports  
20 available to the department in order to make recommendations to the Joint Standing  
21 Committee on Education and Cultural Affairs The analysis must include, but is not limited  
22 to, the specified components and allocation methodology The department is required to  
23 provide the Joint Standing Committee on Education and Cultural Affairs monthly updates  
24 and submit a final report to the committee no later than January 15, 2024 The Joint  
25 Standing Committee on Education and Cultural Affairs is authorized to submit legislation  
26 to the Second Regular Session of the 131st Legislature

27 **FISCAL NOTE REQUIRED**  
28 **(See attached)**



# 131st MAINE LEGISLATURE

LD 1160

LR 1403(02)

**Resolve, Directing the Department of Education to Conduct a Study on the Equity of the State Education Subsidy Formula**

**Fiscal Note for Bill as Amended by Committee Amendment A (H-353)**  
**Committee: Education and Cultural Affairs**  
**Fiscal Note Required: Yes**

### Fiscal Note

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
<b>Net Cost (Savings)</b>				
General Fund	\$50,000	\$0	\$0	\$0
<b>Appropriations/Allocations</b>				
General Fund	\$50,000	\$0	\$0	\$0

#### Fiscal Detail and Notes

This bill includes a one-time General Fund appropriation of \$50,000 in fiscal year 2023-24 to the School Finance and Operations program within the Department of Education for the costs associated with conducting an analysis of certain components of the school funding model and the allocation methodology