

# MAINE STATE LEGISLATURE

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LD 1799

Date 6/21/23

(Filing No S-395)

MAJORITY

EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE  
SENATE  
131ST LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S P 724, LD 1799, "An Act to Expand  
Maine's High-quality Early Learning and Care for Children by Increasing Public Preschool  
Opportunities in Communities"

Amend the bill by inserting after the title and before the enacting clause 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 Commission to Study Expansion of Public Preschool and Early Care  
and Education is established pursuant to this legislation to explore options and establish a  
plan for full-day preschool and pathways for publicly funded early care and education  
programs, and

**Whereas,** the work of the commission must be informed by the work of the  
Department of Education relating to the expansion of public preschools, and

**Whereas,** the study must be initiated before the 90-day period expires in order for the  
study to be completed and a report submitted in time for 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,'

Amend the bill by striking out everything after the enacting clause and inserting the  
following

**'Sec. 1. 20-A MRSA §4272** is enacted to read

**§4272. Expansion of public preschool programs report**

The commissioner shall report annually by February 15th to the joint standing  
committee of the Legislature having jurisdiction over education matters on the department's  
initiatives, incentives and progress to expand public preschool programs

**COMMITTEE AMENDMENT**

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**Sec. 2. 20-A MRSA §4501, first ¶,** as amended by PL 2019, c 343, Pt UUUU, §1, is further amended to read

In accordance with the policy expressed in section 2, every school administrative unit shall raise annually sufficient funds to maintain or support elementary and secondary schools to provide free education for its resident students at all grade levels. These schools shall meet the requirements of basic school approval. To the extent the State provides adequate start-up funding, a school administrative unit may offer an opportunity for every child 4 years of age residing in the school administrative unit to attend a public preschool program, or a program affiliated with the school administrative unit, meeting the requirements of basic school approval. It is the goal of the State to provide adequate start-up funding to ensure that public preschool programs for children 4 years of age are offered by all school administrative units by the 2023-2024 school year, establish an equitable, mixed-delivery public preschool system that provides universal access for preschool-aged children and their families in accordance with the following timeline: 60% by the 2024-2025 school year, 80% by the 2025-2026 school year, and 100% by the 2026-2027 school year.

**Sec. 3. Commission established.** The Commission to Study Expansion of Public Preschool and Early Care and Education, referred to in this section as "the commission," is established

1 Notwithstanding Joint Rule 353, the commission consists of 15 members appointed as follows

A Two members of the Senate appointed by the President of the Senate, including a member from each of the 2 parties holding the largest number of seats in the Legislature,

B Two members of the House of Representatives appointed by the Speaker of the House, including a member from each of the 2 parties holding the largest number of seats in the Legislature,

C One representative from the Department of Health and Human Services involved in the provision of services for children and families of children under 5 years of age selected by the Commissioner of Health and Human Services,

D One representative from the Department of Education involved in the provision of services for children and families of children under 5 years of age selected by the Commissioner of Education,

E One representative of the public school system nominated by the Maine School Management Association and appointed by the President of the Senate,

F Two parents of children who are under 5 years of age who have used state services for their children, one appointed by the President of the Senate and one appointed by the Speaker of the House,

G One representative of family child care services appointed by the President of the Senate,

H One representative of a Head Start program appointed by the President of the Senate,

I One representative of center-based child care services appointed by the Speaker of the House,

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- 1 J One representative of public preschool teachers appointed by the Speaker of the  
2 House,
- 3 K One member with expertise in school funding nominated by the Commissioner of  
4 Education and appointed by the Speaker of the House, and
- 5 L One representative from the Child Development Services System selected by the  
6 Commissioner of Education
- 7 2 The first-named Senate member is the Senate chair, and the first-named House of  
8 Representatives member is the House chair of the commission
- 9 3 All appointments must be made no later than 30 days following the effective date of  
10 this Act The appointing authorities shall notify the Executive Director of the Legislative  
11 Council once all appointments have been completed After appointment of all members,  
12 the chairs shall call and convene the first meeting of the commission If 30 days or more  
13 after the effective date of this Act a majority of but not all appointments have been made,  
14 the chairs may request authority and the Legislative Council may grant authority for the  
15 commission to meet and conduct its business
- 16 4 The commission shall explore options to provide full-day preschool and pathways  
17 for publicly funded early care and education programs The commission shall establish a  
18 plan that must address the following
- 19 A How to offer publicly funded preschool in all types of programs and classrooms  
20 where 4-year-olds are enrolled, including, but not limited to, school administrative  
21 units and licensed child care programs such as Head Start programs, child care centers  
22 and family child care programs,
- 23 B Partnerships between school administrative units and child care programs that meet  
24 or could be supported to meet the public preschool basic approval standards under  
25 Department of Education rule Chapter 124 Basic Approval Standards Public  
26 Preschool Programs, and
- 27 C Ways to design a funding formula that can achieve the goal of 100% access to  
28 preschool programming by 2026 The commission shall establish a timeline, an  
29 implementation plan and incentives to expand publicly funded preschool programming  
30 to 30 hours per week or the length of the local school day at a school administrative  
31 unit with the goal of establishing an equitable, mixed-delivery public preschool system  
32 that provides universal access for preschool-aged children and their families as follows  
33 60% by the 2024-2025 school year, 80% by the 2025-2026 school year, and 100% by  
34 the 2026-2027 school year
- 35 5 The commission may also study and make recommendations on aligning programs  
36 and blending and braiding funding in early care and education systems The commission  
37 may make recommendations on the following
- 38 A Improving the opportunities for children under 5 years of age by ensuring the  
39 availability and coordination of early childhood programs and services through the  
40 State with a focus on child development, education and supporting the needs of  
41 working families,

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1 B Prioritizing the interests and input of children, parents, providers and the community  
2 in designing and delivering early childhood programs and services and the equitable  
3 delivery of resources and supports for early childhood education,

4 C Determining whether integrating early care and education systems with a central  
5 state access point and a regional hub structure could serve as part of a funding structure,

6 D Examining how various funding streams can be blended and braided to provide  
7 more efficient service delivery for families and providers, and

8 E Ensuring that data about programs and early care and early childhood education  
9 systems are available to the public and are shared, coordinated and used by the State to  
10 improve policies and outcomes for children and families

11 6 The Legislative Council shall provide necessary staffing services to the commission,  
12 except that Legislative Council staff support is not authorized when the Legislature is in  
13 regular or special session

14 7 No later than December 6, 2023, the commission shall submit a report that includes  
15 its findings and recommendations, including suggested legislation, to the Joint Standing  
16 Committee on Education and Cultural Affairs and the Joint Standing Committee on Health  
17 and Human Services The Joint Standing Committee on Education and Cultural Affairs  
18 may report out a bill based on the recommendations to the Second Regular Session of the  
19 131st Legislature

20 **Sec. 4. Department of Education responsibilities.** The Department of  
21 Education, referred to in this section as "the department," shall inform the Joint Standing  
22 Committee on Education and Cultural Affairs and the Commission to Study Expansion of  
23 Public Preschool and Early Care and Education on progress relating to the expansion of  
24 public preschools, and the department shall

25 1 Develop a plan to align the credentials and training earned through the Maine Roads  
26 to Quality Professional Development Network with those earned through the Department  
27 of Education early childhood education certification The department, through a  
28 professional development and certification stakeholder working group, shall develop a plan  
29 that includes the following components

30 A The development of a competency-based credential that recognizes experience,  
31 cumulative elective training hours and a demonstration of knowledge and skills in early  
32 childhood teaching practices,

33 B Reciprocity for credit for or training hours toward certification from other states and  
34 countries,

35 C A Maine Roads to Quality Professional Development Network career lattice to align  
36 with department educator credentials and that considers credentials obtained in the  
37 absence of college course work of the same content,

38 D Eligibility of family child care providers who hold and maintain national  
39 accreditation standards accepted by the Department of Health and Human Services,  
40 Office of Child and Family Services as publicly funded preschool locations, and

41 E Collaborating with local adult education providers, apprenticeship sponsors, career  
42 and technical education programs, the Maine Community College System and the  
43 University of Maine System to create articulation agreements between these entities

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COMMITTEE AMENDMENT "A" to S P 724, L D 1799

1 for the transfer of credits for course work related to early childhood education and to  
2 facilitate enrollment in courses that lead to the awarding of a postsecondary degree by  
3 an accredited institution of higher education, and

4 2 Report to the Commission to Study Expansion of Public Preschool and Early Care  
5 and Education and the Joint Standing Committee on Education and Cultural Affairs on  
6 progress relating to public preschool expansion, including establishing state and  
7 community partnerships for a mixed delivery of child care and early childhood education  
8 programs and services through community and school-based providers by November 15,  
9 2023

10 **Sec. 5. Appropriations and allocations** The following appropriations and  
11 allocations are made

12 **EDUCATION, DEPARTMENT OF**  
13 **Office of Innovation Z333**

14 Initiative Provides one-time funds for the costs associated with developing a plan to align  
15 the credentials and training earned through the Maine Roads to Quality Professional  
16 Development Network with those earned through the Department of Education Early  
17 Childhood Education certification

18 <b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
19 All Other	\$5,000	\$0
20		
21 <b>GENERAL FUND TOTAL</b>	<u>\$5,000</u>	<u>\$0</u>

22  
23 **Emergency clause.** In view of the emergency cited in the preamble, this legislation  
24 takes effect when approved '

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

27 **SUMMARY**

28 This amendment, which is the majority report of the committee, replaces the bill and  
29 adds an emergency preamble and emergency clause The amendment establishes an annual  
30 reporting requirement for the Department of Education to report to the joint standing  
31 committee of the Legislature having jurisdiction over education matters on the expansion  
32 of public preschool programs and adds that it is the goal of the State to establish an  
33 equitable, mixed-delivery public preschool system that provides universal access for  
34 preschool-aged children and their families in accordance with the following timeline 60%  
35 by the 2024-2025 school year, 80% by the 2025-2026 school year, and 100% by the 2026-  
36 2027 school year

37 The amendment also creates the Commission to Study Expansion of Public Preschool  
38 and Early Care and Education and requires the commission to explore options, develop a  
39 plan and make recommendations to

40 1 Establish a timeline, an implementation plan and incentives to expand publicly  
41 funded preschool programming to 30 hours per week or the length of the local school day  
42 at a school administrative unit with the goal of establishing an equitable, mixed-delivery

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COMMITTEE AMENDMENT "A" to S P 724, L D 1799

1 public preschool system that provides universal access for preschool-aged children and  
2 their families,

3 2 Provide for expansion to full-day preschool and pathways for child care programs to  
4 become publicly funded, and

5 3 Align and braid and blend funding in early care and early childhood education  
6 systems

7 The department is required to inform the commission and the Joint Standing  
8 Committee on Education and Cultural Affairs on the progress relating to public preschool  
9 expansion no later than November 15, 2023, and the commission is required to report its  
10 findings and recommendations to the Joint Standing Committee on Education and Cultural  
11 Affairs and the Joint Standing Committee on Health and Human Services no later than  
12 December 6, 2023

13 **FISCAL NOTE REQUIRED**

14 (See attached)



# 131st MAINE LEGISLATURE

LD 1799

LR 1861(02)

## An Act to Expand Maine's High-quality Early Learning and Care for Children by Increasing Public Preschool Opportunities in Communities

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-395)  
Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

### Fiscal Note

#### Legislative Cost/Study

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
<b>Net Cost (Savings)</b>				
General Fund	\$5,000	\$0	\$0	\$0
<b>Appropriations/Allocations</b>				
General Fund	\$5,000	\$0	\$0	\$0

#### Legislative Cost/Study

The general operating expenses of this study are projected to be \$3,050 in fiscal year 2023-24. The Legislature's proposed budget for the 2024-2025 biennium includes \$14,500 in each of fiscal years 2023-24 and 2024-25 for the costs of legislative studies, as well as \$2,234 in projected balances from fiscal year 2022-23 and \$36,777 of balances carried over from prior years for this purpose. Whether these amounts are sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature. The additional costs of providing staffing assistance to the study during the interim can be absorbed utilizing existing budgeted staff resources.

#### Fiscal Detail and Notes

This bill includes a one-time General Fund appropriation of \$5,000 in fiscal year 2023-24 to the Office of Innovation within the Department of Education for the costs associated with developing a plan to align the credentials and training earned through the Maine Roads to Quality Professional Development Network with those earned through the Department of Education Early Childhood Education certification.

Any additional costs to the Department of Health and Human Services and the Department of Education associated with having a representative serve on the commission can be absorbed within existing budgeted resources. Additional costs to the Department of Education to prepare the required annual reports can also be absorbed within existing budgeted resources.