

Sec. A-3. Appropriations and allocations. The following appropriations and allocations are made.

ARTS COMMISSION, MAINE

Arts - Administration 0178

Initiative: Reduces funding for arts and arts education for fiscal year 2010-11.

Ref. #: 34 Committee Vote: _____ AFA Vote: _____

GENERAL FUND	2010-11	2011-12	2012-13
All Other	(\$5,000)	\$0	\$0
GENERAL FUND TOTAL	(\$5,000)	\$0	\$0

Justification:

This reduction of \$5,000 will reduce the amount awarded for arts and arts education grants in fiscal year 2010-11 only.

Arts - Administration 0178

Initiative: Reduces funding for advertising of new grant initiatives and programs. This initiative relates to curtailment of allotments ordered by the Governor pursuant to the Maine Revised Statutes, Title 5, section 1668.

Ref. #: 35 Committee Vote: _____ AFA Vote: _____

GENERAL FUND	2010-11	2011-12	2012-13
All Other	(\$1,581)	\$0	\$0
GENERAL FUND TOTAL	(\$1,581)	\$0	\$0

Justification:

The Maine Arts Commission has funding to advertise new grant initiatives and programs. Every effort will be made to consolidate advertising materials to absorb this one-time reduction of \$1,581.

ARTS COMMISSION, MAINE

DEPARTMENT TOTALS	2010-11	2011-12	2012-13
GENERAL FUND	(\$6,581)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$6,581)	\$0	\$0

Sec. A-7. Appropriations and allocations. The following appropriations and allocations are made.

COMMUNITY COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE

Maine Community College System - Board of Trustees 0556

Initiative: Adjusts funding to bring allocations in line with available resources of racino revenue projected by the Revenue Forecasting Committee in December 2010.

Ref. #: 501

Committee Vote: _____

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2010-11	2011-12	2012-13
All Other	\$8,763	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,763	\$0	\$0

Justification:

This request increases the allocation for scholarships consistent with the latest amount of racino resources available as projected by the Revenue Forecasting Committee in December of 2010.

COMMUNITY COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE

DEPARTMENT TOTALS	2010-11	2011-12	2012-13
OTHER SPECIAL REVENUE FUNDS	\$8,763	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$8,763	\$0	\$0

Sec. A-11. Appropriations and allocations. The following appropriations and allocations are made.

CULTURAL AFFAIRS COUNCIL, MAINE STATE

New Century Program Fund 0904

Initiative: Reduces funding for grants to maintain expenditures within available resources.

Ref. #: 136

Committee Vote: _____

AFA Vote: _____

GENERAL FUND	2010-11	2011-12	2012-13
All Other	(\$411)	\$0	\$0
GENERAL FUND TOTAL	(\$411)	\$0	\$0

Justification:

Reduces grants to public and private organizations in fiscal year 2010-11 only.

CULTURAL AFFAIRS COUNCIL, MAINE STATE

DEPARTMENT TOTALS	2010-11	2011-12	2012-13
GENERAL FUND	(\$411)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$411)	\$0	\$0

Sec. A-16. Appropriations and allocations.

The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

Adult Education 0364

Initiative: Transfers one Office Assistant II position from the Leadership Team program, General Fund to the Adult Education program, Federal Expenditures Fund and transfers All Other to Personal Services in the Federal Expenditures Fund to fund the position.

Ref. #: 169

Committee Vote: _____

AFA Vote: _____

FEDERAL EXPENDITURES FUND	2010-11	2011-12	2012-13
POSITIONS - LEGISLATIVE COUNT	1.000	0.000	0.000
Personal Services	\$14,991	\$0	\$0
All Other	(\$14,991)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

Justification:

This initiative transfers an Office Assistant II position from the Leadership program, General Fund to the Adult Education program, Federal Expenditures Fund effective April 18, 2010 in order to reflect the position in the appropriate program.

Child Development Services 0449

Initiative: Transfers funding from the General Purpose Aid for Local Schools program to the Child Development Services program in order to reflect expenditures in the appropriate program.

Ref. #: 172

Committee Vote: _____

AFA Vote: _____

GENERAL FUND	2010-11	2011-12	2012-13
All Other	\$5,700,000	\$0	\$0
GENERAL FUND TOTAL	\$5,700,000	\$0	\$0

Justification:

The funding for state agency client students within the miscellaneous and adjustments category of General Purpose Aid to Local Schools is being reduced and the funding for Child Development Services is being increased by the same amount. This initiative aligns the budget appropriations with the services being provided to the early childhood population by Child Development Services and services being provided to the Pre-K12 state agency client population by local schools.

Child Development Services 0449

Initiative: Provides funding for services to children from birth to 5 years of age as a result of MaineCare rule changes effective September 1, 2010.

Ref. #: 173

Committee Vote: _____

AFA Vote: _____

GENERAL FUND	2010-11	2011-12	2012-13
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Initiative: Reallocates the cost of one Education Specialist III position from 100% in the Leadership Team program to 80% in the Leadership Team program and 20% in the PK-20 Curriculum, Instruction and Assessment program to reflect costs in the appropriate program.

Ref. #: 176

Committee Vote: _____

AFA Vote: _____

FEDERAL EXPENDITURES FUND

	2010-11	2011-12	2012-13
Personal Services	(\$19,296)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	(\$19,296)	\$0	\$0

Justification:

This request reallocates the cost of one Ed Spec III position from 90% in the English Language Acquisition account 013-05A-Z077-16 and 10% in the Refugee Children's Impact Grant account 013-05A-Z077-61 to 70% English Language Acquisition account, 20% to the Assessments account 013-05A-Z081-04 and 10% to the Refugee Children's Impact Grant account to reflect the expenditures in the appropriate programs and accounts.

PK-20 Curriculum, Instruction and Assessment Z081

Initiative: Eliminates funding for the Robert C. Byrd Honors Scholarship Program.

Ref. #: 183

Committee Vote: _____

AFA Vote: _____

FEDERAL EXPENDITURES FUND

	2010-11	2011-12	2012-13
All Other	(\$189,024)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	(\$189,024)	\$0	\$0

Justification:

This grant is received and administered by the Finance Authority of Maine; therefore, no allocation is needed in this account.

PK-20 Curriculum, Instruction and Assessment Z081

Initiative: Reallocates the cost of one Education Specialist III position from 100% in the Leadership Team program to 80% in the Leadership Team program and 20% in the PK-20 Curriculum, Instruction and Assessment program to reflect costs in the appropriate program.

Ref. #: 184

Committee Vote: _____

AFA Vote: _____

FEDERAL EXPENDITURES FUND

	2010-11	2011-12	2012-13
Personal Services	\$19,296	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$19,296	\$0	\$0

Justification:

This request reallocates the cost of one Ed Spec III position from 90% in the English Language Acquisition account 013-05A-Z077-16 and 10% in the Refugee Children's Impact Grant account 013-05A-Z077-61 to 70% English Language Acquisition account, 20% to the Assessments account 013-05A-Z081-04 and 10% to the Refugee Children's Impact Grant account to reflect the expenditures in the appropriate programs and accounts.

EDUCATION, DEPARTMENT OF

DEPARTMENT TOTALS	2010-11	2011-12	2012-13
GENERAL FUND	\$1,985,009	\$0	\$0
FEDERAL EXPENDITURES FUND	(\$189,024)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$1,795,985	\$0	\$0

Sec. A-17. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, STATE BOARD OF

State Board of Education 0614

Initiative: Reduces funding to maintain costs within available resources.

Ref. #: 163

Committee Vote: _____ AFA Vote: _____

GENERAL FUND	2010-11	2011-12	2012-13
All Other	(\$1,009)	\$0	\$0
GENERAL FUND TOTAL	(\$1,009)	\$0	\$0

Justification:

This initiative reduces funding for professional services in order to maintain costs within available resources. This reduction was proposed in relation to the curtailment of allotments ordered by the Governor pursuant to 5 MRSA §1668. It was not included in the final curtailment amounts reduced in Statewide Financial Order 006359F11.

EDUCATION, STATE BOARD OF

DEPARTMENT TOTALS	2010-11	2011-12	2012-13
GENERAL FUND	(\$1,009)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$1,009)	\$0	\$0

Sec. A-22. Appropriations and allocations. The following appropriations and allocations are made.

FINANCE AUTHORITY OF MAINE

Doctors For Maine's Future Scholarship Fund Z090

Initiative: Reduces funding in the Doctors For Maine's Future Scholarship Fund program.

Ref. #: 239

Committee Vote: _____ AFA Vote: _____

GENERAL FUND	2010-11	2011-12	2012-13
All Other	(\$125,445)	\$0	\$0
GENERAL FUND TOTAL	(\$125,445)	\$0	\$0

Justification:

This initiative will prevent one student from receiving funding through this program.

FINANCE AUTHORITY OF MAINE

DEPARTMENT TOTALS	2010-11	2011-12	2012-13
GENERAL FUND	(\$125,445)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$125,445)	\$0	\$0

Sec. A-27. Appropriations and allocations. The following appropriations and allocations are made.

HISTORICAL SOCIETY, MAINE

Historical Society 0037

Initiative: Reduces funding for educational and outreach programs.

Ref. #: 250

Committee Vote: _____ AFA Vote: _____

GENERAL FUND	2010-11	2011-12	2012-13
All Other	(\$445)	\$0	\$0
GENERAL FUND TOTAL	(\$445)	\$0	\$0

Justification:

The reduction in funds will directly impact our ability to support education and outreach programs in Maine schools, historical societies, museums and libraries. Maine Historical Society will have to eliminate 3 program visits in fiscal year 2010-11. On average, we serve 30 students per visit. That translates to 90 less students served in fiscal year 2010-11.

HISTORICAL SOCIETY, MAINE

DEPARTMENT TOTALS	2010-11	2011-12	2012-13
GENERAL FUND	(\$445)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$445)	\$0	\$0

Sec. A-31. Appropriations and allocations. The following appropriations and allocations are made.

HUMANITIES COUNCIL, MAINE

Humanities Council 0942

Initiative: Reduces funding for the Maine Humanities Council's share of the New Century Program matching grant funds in rural and urban areas across Maine used for public cultural projects in community history, cultural tourism, literature and literacy and other humanities areas.

Ref. #: 365

Committee Vote: _____ AFA Vote: _____

GENERAL FUND	2010-11	2011-12	2012-13
All Other	(\$529)	\$0	\$0
GENERAL FUND TOTAL	(\$529)	\$0	\$0

Justification:

The Council's grants range up to \$5,000, with the average award being approximately, \$800. A \$529 reduction would eliminate one community grant. 100% of the appropriation is used for grants.

HUMANITIES COUNCIL, MAINE

DEPARTMENT TOTALS	2010-11	2011-12	2012-13
GENERAL FUND	(\$529)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$529)	\$0	\$0

Sec. A-36. Appropriations and allocations.

The following appropriations and allocations are made.

LIBRARY, MAINE STATE

Maine State Library 0217

Initiative: Transfers one Librarian I position from 100% General Fund to 47% General Fund and 53% Federal Expenditures Fund within the same program in fiscal year 2010-11. This initiative relates to curtailment of allotments ordered by the Governor pursuant to the Maine Revised Statutes, Title 5, section 1668.

Ref. #: 399

Committee Vote: _____

AFA Vote: _____

GENERAL FUND	2010-11	2011-12	2012-13
POSITIONS - LEGISLATIVE COUNT	(1.000)	0.000	0.000
Personal Services	(\$29,568)	\$0	\$0
GENERAL FUND TOTAL	(\$29,568)	\$0	\$0

Ref. #: 400

Committee Vote: _____

AFA Vote: _____

FEDERAL EXPENDITURES FUND	2010-11	2011-12	2012-13
POSITIONS - LEGISLATIVE COUNT	1.000	0.000	0.000
Personal Services	\$29,568	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$29,568	\$0	\$0

Justification:

This initiative realizes savings in fiscal year 2010-11 only, by transferring 53% of the cost of one General Fund Librarian I position (014700021) to the Federal Expenditures Fund account within the same program. Federal grant available to cover personal services costs for fiscal year 2010-11.

LIBRARY, MAINE STATE

DEPARTMENT TOTALS	2010-11	2011-12	2012-13
GENERAL FUND	(\$29,568)	\$0	\$0
FEDERAL EXPENDITURES FUND	\$29,568	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

GENERAL FUND TOTAL	(\$6,724)	\$0	\$0
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Justification:

This reduction of \$6,724 will reduce funding for office and other supplies at the Museum in fiscal year 2010-11 only.

MUSEUM, MAINE STATE

DEPARTMENT TOTALS	2010-11	2011-12	2012-13
GENERAL FUND	(\$13,294)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	(\$212)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$13,506)	\$0	\$0

Sec. A-53. Appropriations and allocations. The following appropriations and allocations are made.

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

University of Maine Scholarship Fund Z011

Initiative: Provides funding to bring allocations in line with available resources of racino revenue projected by the Revenue Forecasting Committee in December 2010.

Ref. #: 519

Committee Vote: _____ AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2010-11	2011-12	2012-13
All Other	\$17,525	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,525	\$0	\$0

Justification:

This request increases the allocation for scholarships consistent with the latest amount of racino resources available as projected by the Revenue Forecasting Committee in December of 2010.

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

DEPARTMENT TOTALS	2010-11	2011-12	2012-13
OTHER SPECIAL REVENUE FUNDS	\$17,525	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$17,525	\$0	\$0

Sec. B-1. Appropriations and allocations.

The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

Adult Education 0364

Initiative: RECLASSIFICATIONS

Ref. #: 170

Committee Vote: _____ AFA Vote: _____

FEDERAL EXPENDITURES FUND	2010-11	2011-12	2012-13
Personal Services	\$27,074	\$0	\$0
All Other	(\$27,074)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

Federal and State Program Services Z079

Initiative: RECLASSIFICATIONS

Ref. #: 179

Committee Vote: _____ AFA Vote: _____

FEDERAL EXPENDITURES FUND	2010-11	2011-12	2012-13
Personal Services	\$21,457	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$21,457	\$0	\$0

General Purpose Aid for Local Schools 0308

Initiative: RECLASSIFICATIONS

Ref. #: 167

Committee Vote: _____ AFA Vote: _____

GENERAL FUND	2010-11	2011-12	2012-13
Personal Services	\$13,365	\$0	\$0
All Other	(\$13,365)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

Leadership Team Z077

Initiative: RECLASSIFICATIONS

Ref. #: 177

Committee Vote: _____ AFA Vote: _____

FEDERAL EXPENDITURES FUND	2010-11	2011-12	2012-13
Personal Services	\$1,192	\$0	\$0

GENERAL FUND TOTAL	\$0	\$0	\$0
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LIBRARY, MAINE STATE

DEPARTMENT TOTALS	2010-11	2011-12	2012-13
GENERAL FUND	\$0	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

1 **Be it enacted by the People of the State of Maine as follows:**

2 **PART C**

3 **Sec. C-1. 20-A MRSA §15671, sub-§7, ¶B**, as repealed and replaced by PL
4 2009, c. 571, Pt. E, §18, is amended to read:

5 B. The annual targets for the state share percentage of the statewide adjusted total
6 cost of the components of essential programs and services are as follows.

7 (1) For fiscal year 2005-06, the target is 52.6%.

8 (2) For fiscal year 2006-07, the target is 53.86%.

9 (3) For fiscal year 2007-08, the target is 53.51%.

10 (4) For fiscal year 2008-09, the target is 52.52%.

11 (5) For fiscal year 2009-10, the target is 48.93%.

12 (6) For fiscal year 2010-11, the target is ~~46%~~ 45.84%.

13 (7) For fiscal year 2011-12 and succeeding years, the target is 55%.

14 **Sec. C-2. 20-A MRSA §15671-A, sub-§2, ¶B**, as amended by PL 2009, c. 571,
15 Pt. E, §19, is further amended to read:

16 B. For property tax years beginning on or after April 1, 2005, the commissioner shall
17 calculate the full-value education mill rate that is required to raise the statewide total
18 local share. The full-value education mill rate is calculated for each fiscal year by
19 dividing the applicable statewide total local share by the applicable statewide
20 valuation. The full-value education mill rate must decline over the period from fiscal
21 year 2005-06 to fiscal year 2008-09 and may not exceed 9.0 mills in fiscal year 2005-
22 06 and may not exceed 8.0 mills in fiscal year 2008-09. The full-value education mill
23 rate must be applied according to section 15688, subsection 3-A, paragraph A to
24 determine a municipality's local cost share expectation. Full-value education mill
25 rates must be derived according to the following schedule.

26 (1) For the 2005 property tax year, the full-value education mill rate is the
27 amount necessary to result in a 47.4% statewide total local share in fiscal year
28 2005-06.

29 (2) For the 2006 property tax year, the full-value education mill rate is the
30 amount necessary to result in a 46.14% statewide total local share in fiscal year
31 2006-07.

32 (3) For the 2007 property tax year, the full-value education mill rate is the
33 amount necessary to result in a 45.56% statewide total local share in fiscal year
34 2007-08.

35 (4) For the 2008 property tax year, the full-value education mill rate is the
36 amount necessary to result in a 45.99% statewide total local share in fiscal year
37 2008-09.

1 (4-A) For the 2009 property tax year, the full-value education mill rate is the
2 amount necessary to result in a 51.07% statewide total local share in fiscal year
3 2009-10.

4 (4-B) For the 2010 property tax year, the full-value education mill rate is the
5 amount necessary to result in a ~~54.0%~~ 54.16% statewide total local share in fiscal
6 year 2010-11.

7 (4-C) For the 2011 property tax year and subsequent tax years, the full-value
8 education mill rate is the amount necessary to result in a 45.0% statewide total
9 local share in fiscal year 2011-12 and after.

10 **Sec. C-3. PL 2009, c. 571, Pt. E, §32** is amended to read:

11 **Sec. E-32. Total cost of funding public education from kindergarten to**
12 **grade 12.** The total cost of funding public education from kindergarten to grade 12 for
13 fiscal year 2010-11 is as follows:

	2010-11
	TOTAL
Total Operating Allocation	
Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 without transitions percentage	\$1,377,907,552
Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 with 97% transitions percentage	\$1,336,568,385
Total other subsidizable costs pursuant to the Maine Revised Statutes, Title 20-A, section 15681-A	\$399,182,922
Total Operating Allocation	<hr/>
Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 and total other subsidizable costs pursuant to Title 20-A, section 15681-A	\$1,735,751,307
Total Debt Service Allocation	
Total debt service allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683-A	\$99,049,370
Total Adjustments and Miscellaneous Costs	

1 Total adjustments and miscellaneous costs pursuant to \$74,663,270
 2 the Maine Revised Statutes, Title 20-A, sections 15689 \$68,963,270
 3 and 15689-A

4
 5 **Total Cost of Funding Public Education from**
 6 **Kindergarten to Grade 12**

7
 8 Total cost of funding public education from \$1,909,463,947
 9 kindergarten to grade 12 for fiscal year 2010-11 \$1,903,763,947
 10 pursuant to the Maine Revised Statutes, Title 20-A,
 11 chapter 606-B

12 **Sec. C-4. PL 2009, c. 571, Pt. E, §33** is amended to read:

13 **Sec. E-33. Local and state contributions to total cost of funding public**
 14 **education from kindergarten to grade 12.** The local contribution and the state
 15 contribution appropriation provided for general purpose aid for local schools for the fiscal
 16 year beginning July 1, 2010 and ending June 30, 2011 is calculated as follows:

	2010-11	2010-11
	LOCAL	STATE
Local and State Contributions to the Total		
Cost of Funding Public Education from		
Kindergarten to Grade 12		
Local and state contributions to the total	\$1,031,138,925	<u>\$878,325,022</u>
cost of funding public education from		<u>\$872,625,022</u>
kindergarten to grade 12 pursuant to the		
Maine Revised Statutes, Title 20-A,		
section 15683 - subject to statewide		
distributions required by law		

30 **SUMMARY**

31 **PART C**

32 This Part aligns budget appropriation categories with the services being provided to
 33 the early childhood population by the Child Development Services System and services
 34 being provided to the prekindergarten to grade 12 state agency client population by local
 35 schools. The appropriation for state agency client students within the miscellaneous and
 36 adjustments category of General Purpose Aid for Local Schools is being reduced and the
 37 appropriation for the Child Development Services System within the Department of
 38 Education budget is being increased by the same amount. It also adjusts the total cost of
 39 funding public education from kindergarten to grade 12 for fiscal year 2010-11, the state
 40 contribution and the annual target state share percentage as a result of the reduced
 41 General Purpose Aid for Local Schools appropriation.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **PART D**

3 **Sec. D-1. PL 2009, c. 213, Pt. EEE, §1** is amended to read:

4 **Sec. EEE-1. Interim process for reorganized school administrative units.**

5 For school ~~year~~ years 2009-2010, 2010-2011 and 2011-2012, for the purposes of applied
6 technology education at vocational centers and career and technical education regions
7 specified in the Maine Revised Statutes, Title 20-A, chapter 313, the following must be
8 implemented.

9 1. For those school administrative units that have reorganized pursuant to Public
10 Law 2007, chapter 240, Part XXXX as amended by Public Law 2007, chapter 668, all
11 ~~vocational and technical~~ students shall attend the vocational center or career and technical
12 education region that they would have attended as a resident student of the original school
13 administrative unit.

14 2. For those school administrative units that have reorganized pursuant to Public
15 Law 2007, chapter 240, Part XXXX as amended by Public Law 2007, chapter 668, the
16 successor unit acts in place of the school administrative unit identified in Title 20-A,
17 chapter 313 for the purposes of the duties and obligations specified in Title 20-A, chapter
18 313, subchapters 3 and 4.

19 **Sec. D-2. Rename PK-20 Curriculum, Instruction and Assessment**
20 **program.** Notwithstanding any other provision of law, the PK-20 Curriculum,
21 Instruction and Assessment program within the Department of Education is renamed the
22 PK-20, Adult Education and Federal Programs Team program.

23 **SUMMARY**

24 **PART D**

25 This Part does the following.

26 1. It extends the interim governance, operating and budgeting process for those
27 school administrative units that are currently members of vocational centers and career
28 and technical regions that have reorganized into regional school units and alternative
29 organizational structures and continue to reorganize.

30 2. It renames the PK-20 Curriculum, Instruction and Assessment program within the
31 Department of Education to the PK-20, Adult Education and Federal Programs Team
32 program.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **PART E**

3 **Sec. E-1. 20-A MRSA §15905, sub-§1**, as amended by PL 2007, c. 539, Pt. C,
4 §16, is further amended to read:

5 **1. Approval authority.** The state board must approve each school construction
6 project, unless it is a small scale school construction project as defined in section 15901,
7 subsection 4-A, a nonstate funded project as defined in section 15905-A or a permanent
8 space lease-purchase project.

9 A. The state board may approve projects as long as no project approval will cause
10 debt service costs, as defined in section 15672, subsection 2-A, paragraph A and
11 pursuant to Resolve 2007, chapter 223, section 4, to exceed the maximum limits
12 specified in Table 1 in subsequent fiscal years.

13 Table 1

14	<u>Major Capital</u>	<u>Integrated, Consolidated</u>
15		<u>Secondary and Postsecondary</u>
16		<u>Project</u>
17	Fiscal year	<u>Maximum Debt Service Limit</u>
18	1990	\$ 48,000,000
19	1991	\$ 57,000,000
20	1992	\$ 65,000,000
21	1993	\$ 67,000,000
22	1994	\$ 67,000,000
23	1995	\$ 67,000,000
24	1996	\$ 67,000,000
25	1997	\$ 67,000,000
26	1998	\$ 67,000,000
27	1999	\$ 69,000,000
28	2000	\$ 72,000,000
29	2001	\$ 74,000,000
30	2002	\$ 74,000,000
31	2003	\$ 80,000,000
32	2004	\$ 80,000,000
33	2005	\$ 84,000,000
34	2006	\$ 90,000,000
35	2007	\$ 96,000,000
36	2008	\$100,000,000
37	2009	\$104,000,000
38	2010	\$108,000,000
39	2011	\$126,000,000
40	2012	\$126,000,000 \$116,000,000
41	2013	\$126,000,000 \$116,000,000
42	<u>2014</u>	<u>\$116,000,000</u>
43	<u>2015</u>	<u>\$116,000,000</u>

1 A-1. Beginning with the second regular session of the Legislature in fiscal year 1990
2 and every other year thereafter, on or before March 1st, the commissioner shall
3 recommend to the Legislature and the Legislature shall establish maximum debt
4 service limits for the next 2 biennia for which debt service limits have not been set
5 for major capital and integrated, consolidated secondary and postsecondary projects.

6 B. Nonstate funded projects, such as school construction projects or portions of
7 projects financed by proceeds from insured losses, money from federal sources, other
8 noneducational funds or local funds that are not eligible for inclusion in an
9 administrative unit's state-local allocation, are outside the total cost limitations set by
10 the Legislature.

11 **SUMMARY**

12 **PART E**

13 This Part revises the maximum debt service limit for school construction projects for
14 the 2012-2013 biennium and establishes the maximum debt service limit for the 2014-
15 2015 biennium as required by statute. It also provides a maximum debt service limit for
16 the construction of integrated, consolidated secondary and postsecondary projects.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **PART K**

3 **Sec. K-1. Department of Education, Child Development Services.** By
4 March 31, 2011, the Commissioner of Education shall submit to the Joint Standing
5 Committee on Appropriations and Financial Affairs and the Joint Standing Committee on
6 Education and Cultural Affairs a plan, including any necessary implementing legislation,
7 that identifies savings in the Child Development Services program equal to at least 5% of
8 the total fiscal year 2010-11 program budget and establishes limits on administration and
9 transportation costs that do not affect services to children.

10 **SUMMARY**

11 **PART K**

12 This Part requires the Commissioner of Education to submit to the Joint Standing
13 Committee on Appropriations and Financial Affairs and the Joint Standing Committee on
14 Education and Cultural Affairs a plan that identifies savings in the Child Development
15 Services program.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **PART S**

3 **Sec. S-1. 5 MRSA §1582, sub-§4**, as amended by PL 2009, c. 571, Pt. GGGG,
4 §1, is further amended to read:

5 **4. Use of savings; personal services funds.** Savings accrued from unused funding
6 of employee benefits may not be used to increase services provided by employees.
7 Accrued salary savings generated within an appropriation or allocation for Personal
8 Services may be used for the payment of nonrecurring Personal Services costs only
9 within the account where the savings exist. Accrued savings generated from vacant
10 positions within a General Fund account's appropriation for Personal Services may be
11 used to offset Personal Services shortfalls in other General Fund accounts that occur as a
12 direct result of Personal Services appropriation reductions for projected vacancies, and
13 accrued savings generated within a Highway Fund account's allocations for Personal
14 Services may be used to offset Personal Services shortfalls in other Highway Fund
15 accounts that occur as a direct result of Personal Services allocation reductions for
16 projected vacancies; except that the transfer of such accrued savings is subject to review
17 by the joint standing committee of the Legislature having jurisdiction over appropriations
18 and financial affairs. Costs related to acting capacity appointments and emergency,
19 unbudgeted overtime for which it is impractical to budget in advance may be used with
20 the approval of the appointing authority. Other actions such as retroactive compensation
21 for reclassifications or reallocations and retroactive or one-time settlements related to
22 arbitrator or court decisions must be recommended by the department or agency head and
23 approved by the State Budget Officer. Salary and employee benefits savings may not be
24 used to fund recurring Personal Services actions either in the account where the savings
25 exist or in another account. At the close of each fiscal year, except for the Division of
26 Forest Protection account within the Department of Conservation, the Disproportionate
27 Share - Riverview Psychiatric Center and the Disproportionate Share - Dorothea Dix
28 Psychiatric Center accounts within the Department of Health and Human Services and the
29 Education in the Unorganized Territory account within the Department of Education, any
30 unexpended General Fund Personal Services appropriations to executive branch agencies
31 including accounts that are authorized to carry unexpended balances forward must lapse
32 to the Salary Plan program, General Fund account in the Department of Administrative
33 and Financial Services.

34 **Sec. S-2. 34-B MRSA §1409, sub-§15**, as amended by PL 2009, c. 571, Pt. SSS,
35 §1, is further amended to read:

36 **15. General Fund accounts; disproportionate share hospital match.** The
37 commissioner shall establish General Fund accounts to provide the General Fund match
38 for eligible disproportionate share hospital components in the Riverview Psychiatric
39 Center and the Dorothea Dix Psychiatric Center. Any unencumbered balances of General
40 Fund appropriations remaining at the end of each fiscal year must be carried forward to
41 be used for the same purposes. ~~Notwithstanding Title 5, section 1582, subsection 4 or~~
42 ~~any other provision of law, available~~ Available unencumbered balances at the end of each
43 fiscal year in the Personal Services line category of the accounts may be transferred to the

1 All Other line category by financial order upon the recommendation of the State Budget
2 Officer and approval of the Governor.

3 **SUMMARY**

4 **PART S**

5 This Part exempts the Department of Health and Human Services, Disproportionate
6 Share - Riverview Psychiatric Center and the Disproportionate Share - Dorothea Dix
7 Psychiatric Center accounts and the Department of Education, Education in the
8 Unorganized Territory account from the provision of the Maine Revised Statutes, Title 5,
9 section 1582, subsection 4 that lapses unexpended General Fund Personal Services
10 appropriations to the Salary Plan program, General Fund account at the close of each
11 fiscal year. It also amends the language in Title 34-B that allows Personal Services
12 balances in the Riverview Psychiatric Center and Dorothea Dix Psychiatric Center
13 disproportionate share accounts to be transferred to All Other to remove a cross-reference
14 that is no longer necessary.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **PART W**

3 **Sec. W-1. 20-A MRSA §7001, sub-§2-A**, as amended by PL 2007, c. 430, §1, is
4 further amended to read:

5 **2-A. Free, appropriate public education.** "Free, appropriate public education"
6 means special education and related services that are provided at public expense, under
7 public supervision and direction and without charge; meet the standards of the
8 department; include an appropriate preschool, elementary school or secondary school
9 education in the State; and are provided in conformity with the individualized family
10 service plan or individualized education program. ~~Preschool children with disabilities
11 who reach 5 years of age between July 1st and October 15th who are already receiving
12 free, appropriate public education through the Child Development Services System and
13 whose parents choose, in accordance with rules adopted by the commissioner, not to
14 enroll those children in kindergarten until the start of the following school year must have
15 free, appropriate public education available to them through the Child Development
16 Services System for one additional school year.~~

17 **Sec. W-2. Department of Education; rule-making authority.** The
18 Department of Education shall amend its rule, Maine Unified Special Education
19 Regulation, Chapter 101, in section V.1.A(3)(a)(i) to change the period required to
20 complete evaluation for children from 3 to 5 years of age from 60 calendar days to 45
21 school days. These rules are major substantive rules for the purposes of the Maine
22 Revised Statutes, Title 5, chapter 375, subchapter 2-A.

23 **SUMMARY**

24 **PART W**

25 This Part eliminates the provision that allows certain children to continue to receive
26 the services of the Child Development Services System for an additional year rather than
27 be enrolled in kindergarten. It also requires the Department of Education to amend its
28 rules regarding certain special education determinations.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **PART Z**

3 **Sec. Z-1. Department of Education, Management Information Systems;**
4 **unexpended funds.** Notwithstanding any other provision of law, \$1,125,384 of
5 unexpended funds from the Department of Education, Management Information Systems
6 program, General Fund account, All Other line category shall lapse to the unappropriated
7 surplus of the General Fund no later than June 30, 2011.

8 **SUMMARY**

9 **PART Z**

10 This Part lapses \$1,125,384 of unexpended funds in the Department of Education,
11 Management Information Systems General Fund carrying account to the General Fund
12 unappropriated surplus no later than June 30, 2011.

Fiscal Note - Part Z

	FY 2010-11	FY 2011-12	FY 2012-13	Projections FY 2013-14	Projections FY 2014-15
Transfers					
General Fund					
PART Z, Section 1	\$1,125,384	\$0	\$0	\$0	\$0