

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the amendment by striking out all of sections 2 to 4 and inserting the following:

Sec. 2. 20-A MRSA §1001, sub-§8, as amended by PL 1983, c. 859, Pt. K, §§3 and 7, is further amended to read:

8. Operate public preschool programs, kindergarten and grades one to 12. They shall either operate programs in kindergarten and grades ~~one~~ to 12 or otherwise provide for students to participate in those grades as authorized elsewhere in this Title. To the extent the State provides adequate start-up funding, they may operate public preschool programs or provide for students to participate in such programs in accordance with the requirements of this Title. They shall determine which students shall attend each school, classify them and transfer them from school to school where more than one school is maintained at the same time.

Sec. 3. 20-A MRSA c. 203, sub-c. 3 is enacted to read:

SUBCHAPTER 3

PUBLIC PRESCHOOL PROGRAMS FOR CHILDREN 4 YEARS OF AGE

§ 4271. Start-up funding for public preschool programs

1. Start-up funding. To the extent the State provides adequate start-up funding, school administrative units may operate public preschool programs or provide for students to participate in such programs in accordance with the requirements of this Title. For the purposes of this subchapter, "start-up funding" means a one-time, start-up grant awarded to a qualified school administrative unit that submits an implementation plan that is approved by the department for the operation of a new or expanded public preschool program.

2. Allowable costs. Beginning with the 2015-2016 school year and for each subsequent school year, the State may provide start-up funding for the allowable costs to operate public preschool programs for children 4 years of age under this subchapter.

3. Grant funds. Beginning with the 2015-2016 school year and for each subsequent school year, the commissioner may provide start-up funding to qualified school administrative units to operate public preschool programs for children 4 years of age. Grants provided for allowable costs for approved public preschool programs must be provided from state, federal or private funds appropriated, allocated or authorized by the Legislature for that purpose and must include \$4,000,000 annually in revenues distributed from general purpose aid for local schools that the department receives from casino slot machines or casino table games pursuant to section 15671, subsection 5-A. Any balance of funds appropriated, allocated or authorized by the Legislature remaining at the end of a fiscal year do not lapse and are carried forward to the next fiscal year to carry out the purposes of this subchapter.

4. Qualifications; rules. To qualify for a grant under this section, a school administrative unit must submit an implementation plan to the department for the operation of a new or expanded public preschool program. The qualifications established for implementation plans must contain standards and best practices for public preschool programs and must encourage a school administrative unit to demonstrate coordination with other early childhood programs in the community to maximize resources and provide comprehensive services to meet the needs of children 4 years of age in accordance with this subchapter and rules adopted by the commissioner. In awarding grants under this section, the commissioner shall give priority to a qualified school administrative unit that has a greater percentage of economically disadvantaged students as determined pursuant to section 15675, subsection 2 than other qualified school administrative units under this subsection and in accordance with the following order of preference:

- A. The first preference must be to award grant funds to a qualified school administrative unit that does not operate a public preschool program and that submits a plan for the development and operation of a new public preschool program; and
- B. The 2nd preference must be to award grant funds to a qualified school administrative unit that operates a public preschool program and that submits a plan for the development and operation of an expanded public preschool program.

The commissioner shall adopt rules that establish criteria for the approval of implementation plans and for the awarding of start-up funds for the allowable costs of operating public preschool programs. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

5. Application for federal public preschool funds. The department may apply for assistance from the Federal Government for the development of public preschool programs for children 4 years of age on behalf of school administrative units in the State. The department shall administer any federal funds received for the benefit of public preschool programs in the State. As the designated state agency authorized to administer federal funds, the department shall develop a state plan and application for funding public preschool programs and shall disburse federal funds as authorized and required by applicable federal law. Beginning in fiscal year 2015-16, the department shall provide any federal funds received to qualified school administrative units as part of the start-up funding provided for the development and operation of public preschool programs under this section. If federal funds are used as part of the start-up funds to operate new or expanded public preschool programs, the students enrolled in these programs must be considered subsidizable pupils for purposes of state subsidy calculations pursuant to chapter 606-B.

Sec. 4. 20-A MRSA §4501, as amended by PL 2007, c. 141, §6, is further amended to read:

§ 4501. Duty of school units

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 units that choose to~~ 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 must meet, 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 2018-2019 school year.

1. Assessment. The commissioner shall adopt rules that strongly encourage the use of a uniform common statewide assessment program for kindergarten, which may be used by school administrative units in addition to other quality assessments school administrative units determine to be necessary beginning with the 2016-2017 school year. The uniform common statewide assessment must be designed to measure student comprehension of academic content and mastery of related skills and cover such areas as physical health and motor development; social and emotional development; learning styles; language and literacy; and general cognition. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

2. Grant funds. Beginning with the 2015-2016 school year, in accordance with this section, the department, if funds are available, shall award grants pursuant to section 4271 to each qualified school administrative unit equal to the school administrative unit's allowable costs to implement the approved plan to develop and operate a new or expanded public preschool program. Grant funds must be used to fund the allowable costs of the implementation plan not otherwise subsidized by the State.'

Amend the amendment in section 5 in subsection 9 in the first paragraph in the 2nd line (page 4, line 33 in amendment) by inserting after the following: "adequate" the following: 'start-up'

Amend the amendment in section 5 in subsection 9 in the first paragraph in the 4th line (page 4, line 35 in amendment) by striking out the following: "shall" and inserting the following: 'may'

Amend the amendment in section 5 in subsection 9 in the last paragraph in the first line (page 5, line 1 in amendment) by striking out the following: "shall provide grants" and inserting the following: 'may provide start-up funding'

Amend the amendment by striking out all of sections 6 and 7 and inserting the following:

'Sec. 6. 20-A MRSA §15671, sub-§5-A, as enacted by PL 2013, c. 368, Pt. C, §5, is amended to read:

5-A. Funds from casino slot machines or table games. Revenues received by the department from casino slot machines or casino table games pursuant to Title 8, section 1036, subsection 2-A, paragraph A or Title 8, section 1036, subsection 2-B, paragraph A must be distributed until the end of fiscal year 2014-15 as general purpose aid for local schools, and each school administrative unit shall make its own determination as to how to allocate these resources. Beginning in fiscal year 2015-16, \$4,000,000 in revenues must be distributed by the department to provide start-up funds for approved public preschool programs for children 4 years of age in accordance with chapter 203, subchapter 3. Neither the Governor nor the Legislature may divert the revenues payable to the department to any other fund or for any other use. Any proposal to enact or amend a law to allow distribution of the revenues paid

to the department from casino slot machines or casino table games for another purpose must be submitted to the Legislative Council and to the joint standing committee of the Legislature having jurisdiction over education matters at least 30 days prior to any vote or public hearing on the proposal.

Sec. 7. 20-A MRSA §15674, sub-§3 is enacted to read:

3. Pupil count for public preschool programs. Beginning with funding for the 2015-2016 school year, the pupil count for students 4 years of age and students 5 years of age attending public preschool programs must be based on the most recent October 1st count prior to the year of funding.

Sec. 8. 20-A MRSA §15675, sub-§3, ¶A, as amended by PL 2007, c. 141, §15, is further amended to read:

A. For purposes of the additional weight under this subsection, the count of public preschool program to grade 2 students is calculated based on the number of resident pupils in the most recent calendar year. Beginning with funding for the 2015-16 school year, the pupil count for students 4 years of age and students 5 years of age attending public preschool programs must be based on the most recent October 1st count prior to the allocation year.

Sec. 9. 20-A MRSA §15681, sub-§1, ¶C, as amended by PL 2007, c. 141, §16, is further amended to read:

C. To receive targeted public preschool program to grade 2 funds calculated pursuant to subsection 4, the school administrative unit must be in compliance with any applicable reporting requirements for local early childhood programs. Any program must be in compliance with chapter 203, subchapter 2 or 3.

Sec. 10. 20-A MRSA §15688-A, sub-§4 is enacted to read:

4. New or expanded public preschool programs for children 4 years of age. Beginning in fiscal year 2015-16 and for each subsequent fiscal year, the commissioner may expend and disburse one-time, start-up funds to provide grants for expanded access to public preschool programs for children 4 years of age pursuant to chapter 203, subchapter 3. The amounts of the grant funding provided to qualified school administrative units pursuant to chapter 203, subchapter 3 are limited to the amounts appropriated, allocated or authorized by the Legislature for the operation of public preschool programs. Any balance of funds appropriated, allocated or authorized by the Legislature remaining at the end of a fiscal year do not lapse and are carried forward to the next fiscal year to carry out the purposes of chapter 203, subchapter 3.'

Amend the amendment in section 9 in the first paragraph in the 4th line (page 6, line 1 in amendment) by striking out the following: "5" and inserting the following: '4'

Amend the amendment by striking out all of section 10 and inserting the following:

‘Sec. 10. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

General Purpose Aid for Local Schools 0308

Initiative: Reduces funding for the bus refurbishing program.

GENERAL FUND	2013-14	2014-15
All Other	\$0	(\$69,877)
GENERAL FUND TOTAL	\$0	(\$69,877)

PK-20, Adult Education and Federal Programs Team Z081

Initiative: Provides funds for 80% of one Early Childhood Coordinator position and related All Other costs beginning in fiscal year 2014-15.

GENERAL FUND	2013-14	2014-15
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$64,877
All Other	\$0	\$5,000
GENERAL FUND TOTAL	\$0	\$69,877

EDUCATION, DEPARTMENT OF	2013-14	2014-15
DEPARTMENT TOTALS	\$0	\$0
GENERAL FUND	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

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

SUMMARY

This amendment amends Committee Amendment "A." The amendment differs from Committee Amendment "A" in the following ways.

1. It removes the provisions that would have required school administrative units to submit an implementation plan for operating a new or expanded public preschool program by the 2018-2019 school year and provides that, beginning in the 2015-2016 school year and for each subsequent school year, a school administrative unit may receive start-up funding if the school administrative unit submits an implementation plan for operating a new or expanded public preschool program that is approved by the Department of Education.

2. It defines "start-up funding" as a one-time, start-up grant for the operation of a new or expanded public preschool program and it provides that, to the extent the Legislature appropriates or allocates adequate start-up funding from state, federal or private funds for these grants, the Commissioner of Education may award grants to qualified school administrative units to operate a new or expanded public preschool program.

3. It provides that, beginning in the 2015-2016 school year, \$4,000,000 of revenues received by the Department of Education from casino slot machines or casino table games must be distributed by the department to provide annual start-up funds for approved public preschool programs for children 4 years of age.

4. It provides that, beginning with funding for the 2015-2016 school year, the count for students 4 years of age and 5 years of age attending public preschool programs must be based on the most recent October 1st pupil count prior to the year of funding.

5. It modifies the rule-making provision related to the qualifications to be included in the Department of Education rules for the approval of implementation plans and the awarding of grants to school administrative units for operating new or expanded public preschool programs. The amendment strikes the requirement that the application submitted by a school administrative unit must meet standards and best practices for public preschool programs and must be coordinated with other early childhood programs in the community and replaces these provisions with language that permits the department's rules to address these criteria.

6. It strikes the provision that would have established an adjustment to the state share of the total allocation for new or expanded public preschool programs and replaces this provision to authorize the Commissioner of Education to expend and disburse one-time, start-up funds to provide grants for expanded access to public preschool programs for children 4 years of age.

7. It adds a new appropriations and allocations section to transfer General Fund funds from the bus refurbishing program to fund the costs of an early childhood coordinator position.

FISCAL NOTE REQUIRED
(See attached)