



# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 154

H.P. 95

House of Representatives, January 12, 2023

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### **An Act Regarding Special Education Funding for So-called Minimum Receiver School Administration Units**

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Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative MATHIESON of Kittery.  
Cosponsored by Senator GROHOSKI of Hancock and  
Representatives: CRAFTS of Newcastle, DAVIS of East Machias, MEYER of Eliot,  
MILLETT of Cape Elizabeth, SARGENT of York, WILLIAMS of Bar Harbor.

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

2 **Sec. 1. 20-A MRSA §15689, sub-§1, ¶B,** as amended by PL 2017, c. 284, Pt. C,  
3 §50, is further amended by amending subparagraph (15) to read:

4 (15) In fiscal year 2019-20, 45%; ~~and~~

5 **Sec. 2. 20-A MRSA §15689, sub-§1, ¶B,** as amended by PL 2017, c. 284, Pt. C,  
6 §50, is further amended by amending subparagraph (16) to read:

7 (16) In fiscal ~~year~~ years 2020-21 and ~~succeeding~~ years 2021-22, 50%; ~~and~~

8 **Sec. 3. 20-A MRSA §15689, sub-§1, ¶B,** as amended by PL 2017, c. 284, Pt. C,  
9 §50, is further amended by enacting a new subparagraph (17) to read:

10 (17) In fiscal year 2022-23 and succeeding years, 55%.

11 **Sec. 4. Review and report.** The Department of Education shall examine the  
12 methodologies used to determine when a school administrative unit's ability to pay for  
13 essential programs and services is greater than its required local contribution under the  
14 essential programs and services school funding formula under the Maine Revised Statutes,  
15 Title 20-A, chapter 606-B, a status that makes the unit what is commonly referred to as "a  
16 minimum receiver" under the funding formula. The department shall examine the trends in  
17 the number of school administrative units identified as minimum receivers and determine  
18 the factors that have caused any increases in the number of such units, the issues that this  
19 creates for the units and methods by which those issues may be reduced or resolved. The  
20 department shall report its findings and recommendations to the Joint Standing Committee  
21 on Education and Cultural Affairs no later than January 2, 2024. The committee may report  
22 out a bill to the Second Regular Session of the 131st Legislature relating to minimum  
23 receivers.

## 24 SUMMARY

25 This bill provides that, beginning in fiscal year 2022-23, the minimum state share of a  
26 school administrative unit's special education costs under the essential programs and  
27 services school funding formula must be 55%.

28 The bill also requires the Department of Education to examine the methodologies used  
29 to determine when a school administrative unit is a so-called minimum receiver under the  
30 essential programs and services school funding formula. The department is directed to  
31 examine the trends in the number of school administrative units identified as minimum  
32 receivers and determine the factors that have caused any increases in the number of such  
33 units, the issues that this creates for these units and methods by which those issues may be  
34 reduced or resolved. The department is directed to report its findings and recommendations  
35 to the Joint Standing Committee on Education and Cultural Affairs no later than January 2,  
36 2024. The committee may report out a bill to the Second Regular Session of the 131st  
37 Legislature relating to minimum receivers.