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EDUCATION AND CULTURAL AFFAIRS

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**STATE OF MAINE
SENATE
125TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 158, L.D. 566, Bill, “An Act To Encourage Transparency in the Department of Education”

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

Sec. 1. 20-A MRSA §205 is enacted to read:

§205. Disclosure of finances

The department shall disclose annually its full budget and the true cost of all its programs and services to the Legislature and shall publish this disclosure on the department's publicly accessible website.

1. Reports to Legislature. Beginning with the 2012-13 fiscal year, the department, in conjunction with the Department of Administrative and Financial Services, Bureau of the Budget, shall report monthly to the joint standing committee of the Legislature having jurisdiction over education matters and to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs regarding the allocation or transfer of funds from the General Fund, Federal Expenditures Fund or Other Special Revenue Funds that support:

A. An existing or ongoing department program or initiative that was approved as part of the biennial budget bill or a supplemental budget bill;

B. A new or significantly revised department program or initiative that was not approved as part of the biennial budget bill or a supplemental budget bill; or

C. The transfer of existing department personnel to a new program or a new initiative or the retainer of a contracted service provider to provide contracted services for a new program or a new initiative.

The monthly report must disclose the adjustments made to department programs and initiatives in a manner that delineates the amounts of funding that are different from the relevant components of the most recently approved state budget.

COMMITTEE AMENDMENT

1 **2. Public access.** Following the submission of the monthly report in accordance
 2 with subsection 1, the department shall publish any new disclosures presented in the
 3 monthly report, including any changes to department funding or personnel related to a
 4 particular program or initiative, on the department's publicly accessible website.

5 **Sec. 2. Department of Education review of performance data.** The
 6 Department of Education shall review the findings and recommendations of the
 7 November 3, 2010 Report to the Legislative Council on Maine Department of Education
 8 Program Funding, including the recommendation that the Legislature should consider
 9 requiring the Department of Education to provide performance-related data as part of the
 10 department's biennial or supplemental budget request for General Fund appropriations.
 11 The department shall submit a report, including findings and recommendations on the
 12 costs and benefits of providing performance-related data to the Legislature as part of the
 13 department's budget request, no later than January 13, 2012 to the Joint Standing
 14 Committee on Education and Cultural Affairs. The committee may report out a bill to the
 15 Second Regular Session of the 125th Legislature related to the report submitted by the
 16 department.

17 **Sec. 3. Appropriations and allocations.** The following appropriations and
 18 allocations are made.

19 **EDUCATION, DEPARTMENT OF**

20 **Leadership Team Z077**

21 Initiative: Provides funds for one Financial Analyst position and related All Other to
 22 compile the monthly financial and personnel data and prepare the monthly reports.

23 GENERAL FUND	2011-12	2012-13
24 POSITIONS - LEGISLATIVE COUNT	1.000	1.000
25 Personal Services	\$46,262	\$65,307
26 All Other	\$6,088	\$6,088
27		
28 GENERAL FUND TOTAL	\$52,350	\$71,395
29		

30 **SUMMARY**

31 This amendment proposes to clarify the reporting and public disclosure requirements
 32 of the bill pertaining to the disclosure by the Department of Education of its full budget
 33 and the true cost of all its programs and services. The amendment directs the Department
 34 of Education to review the November 3, 2010 Report to the Legislative Council on Maine
 35 Department of Education Program Funding, including the recommendation that the
 36 Legislature should consider requiring the department to provide performance-related data
 37 as part of the agency's biennial or supplemental budget request for General Fund
 38 appropriations. The amendment also directs the department to submit a report, including
 39 findings and recommendations on the costs and benefits of providing performance-related
 40 data to the Legislature as part of the department's budget request, no later than January

COMMITTEE AMENDMENT “ ” to S.P. 158, L.D. 566

1 13, 2012 to the Joint Standing Committee on Education and Cultural Affairs. The
2 amendment also adds an appropriations and allocations section.

3 **FISCAL NOTE REQUIRED**

4 **(See attached)**