

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1348

S.P. 461

In Senate, February 18, 1999

**An Act to Provide for Fair and Open Procedures for a Waiver of
Department of Education Rules.**

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator CATHCART of Penobscot.
Cosponsored by Representative BAKER of Bangor and
Senator MURRAY of Penobscot, Representative: HATCH of Skowhegan.

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

4 Sec. 1. 20-A MRSA §3-A is enacted to read:

6 **§3-A. Waiver of rules**

8 1. Waiver. If a waiver of department rules is requested by a local school administrative unit, the procedures for approval of the waiver must provide the following:

10 A. Public inspection and participation;

12 B. Written application for the waiver;

14 C. Notice to the bargaining agent or agents representing school employees of the waiver request;

18 D. A right of the bargaining agent to inspect the application and documentation, state its views and present relevant evidence for consideration; and

22 E. Written notice to the bargaining agent of the decision on the application and the reason for the decision.

26 **SUMMARY**

28 This bill establishes a process for the approval of any
30 waiver of rules administered by the Department of Education.