

MAINE STATE LEGISLATURE

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DATE: 5-19-03

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EDUCATION AND CULTURAL AFFAIRS

Reported by: Minority

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STATE OF MAINE
SENATE
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "B" to S.P. 538, L.D. 1577, Bill, "An Act To Amend and Improve the Education Laws"

Amend the bill by striking out all of section 6.

Further amend the bill in section 10 by striking out all of subsection 1 and inserting in its place the following:

'1. Establishment. Each school administrative unit must shall, commencing with the 1987-88 2004-2005 school year, establish-a fully implement its plan for phasing in gifted and talented educational programs. A-school-administrative-unit-or part-of-a-school-administrative-unit-is-not-required-to-comply with-the-provisions-of-its-plan-during-the-school-years-beginning in-the-fall-of-2000-and-2001. Beginning with the 2004-2005 school year, a school administrative unit may apply to the commissioner for a one-year waiver of this requirement if full implementation of this requirement presents an undue burden.'

Further amend the bill by inserting after section 10 the following:

'Sec. 11. 20-A MRSA §8104, sub-§2, as enacted by PL 1985, c. 463, §1, is amended to read:

2. Rules. The commissioner shall establish amend or adopt rules to implement this section, including the identification of students, needs and resource assessment, and program planning, development and delivery implementation. Rules adopted pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.'

COMMITTEE AMENDMENT

2 Further amend the bill by relettering or renumbering any
nonconsecutive Part letter or section number to read
consecutively.

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SUMMARY

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This amendment is the minority report of the Joint Standing
Committee on Education and Cultural Affairs. The amendment
accomplishes the following.

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1. It removes the section of the bill that provided for
reinstatement of "emotional disability" to the definition of
"exceptional student" in the Maine Revised Statutes, Title 20-A,
section 7001; and

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2. It retains the provision in the original bill that
amends the date for full implementation of the school
administrative unit's gifted and talented program, but changes
the implementation date for gifted and talented programs from the
2003-2004 school year to the 2004-2005 school year. The
amendment also provides that, beginning with the 2004-2005 school
year, a school administrative unit may request a one-year waiver
from the Commissioner of Education on the requirement for fully
implementing its plan for phasing in its gifted and talented
program.

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**121st Maine Legislature
Office of Fiscal and Program Review**

LD 1577

An Act To Amend and Improve the Education Laws



LR 1853(03)

Fiscal Note for Bill as Amended by Committee Amendment 'B' 202

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Minority Report

Fiscal Note

Current Cost - State Mandate

State Mandate

New or Expanded Activity

Requiring local school units to fully implement the plan for phasing in gifted and talented education programs beginning in the 2004-2005 school year is a state mandate. The cost to each individual school unit can not be determined at this time.

Unit Affected

School

Costs

Insignificant