

# MAINE STATE LEGISLATURE

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Date: 3/28/08

(Filing No. H-868)

Majority

**EDUCATION AND CULTURAL AFFAIRS**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
123RD LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1503, L.D. 2123, "Resolve, Regarding Legislative Review of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a Major Substantive Rule of the Department of Education and the State Board of Education"

Amend the resolve by striking out all of section 1 and inserting the following:

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a provisionally adopted major substantive rule of the Department of Education and the State Board of Education that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized except that:

**1. Definition of non-conforming school.** The portion of Section 1 of the rule designated as subsection 27, "Non-Conforming School" is not authorized for final adoption and must be removed; and

**2. Penalty for non-conforming schools.** The 10-point penalty in the portion of Section 3 of the rule designated as subsection 7 within "Priority C: Program and Planning" is not authorized for final adoption and must be removed.

The Department of Education and the State Board of Education are not required to hold hearings or undertake further proceedings prior to final adoption of the rule in accordance with this emergency resolve.'

**SUMMARY**

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. It requires that, prior to final adoption of the rule, the State Board of Education must remove the provisions that establish a 10-point penalty in the rating score for major capital school construction projects for school administrative units that do not

**COMMITTEE AMENDMENT**

**R.O.S.**

COMMITTEE AMENDMENT "A" to H.P. 1503, L.D. 2123

1 conform to the requirements for school district reorganization pursuant to Public Law  
2 2007, chapter 240, Part XXXX by July 1, 2009.

**FISCAL NOTE REQUIRED**  
**(See Attached)**

**COMMITTEE AMENDMENT**



Approved: 03/24/08 *MAC*

# 123rd MAINE LEGISLATURE

LD 2123

LR 3425(03)

**Resolve, Regarding Legislative Review of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a Major Substantive Rule of the Department of Education and the State Board of Education**

**Fiscal Note for Bill as Amended by Committee Amendment "A"**

**Committee: Education and Cultural Affairs**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund

### Fiscal Detail and Notes

Additional costs to the Department of Education associated with making the required changes prior to final adoption of portions of Chapter 61 can be absorbed within existing budgeted resources.