

MAINE STATE LEGISLATURE

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L D 393

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Date

6/7/23

(Filing No H-391)

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EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE

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HOUSE OF REPRESENTATIVES

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131ST LEGISLATURE

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FIRST SPECIAL SESSION

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COMMITTEE AMENDMENT "A" to H P 244, L D 393, "Resolve, Regarding
Legislative Review of Portions of Chapter 33 Rules Governing Physical Restraint and
Seclusion, a Major Substantive Rule of the Department of Education"

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Amend the resolve in section 1 in the last line (page 1, line 17 in L D) by inserting
after the following "authorized" the following 'only if the following change is made the
rule must be amended in Section 9, subsection 2, paragraphs A and B, which concern a
response to multiple incidents of physical restraint and seclusion, to require meetings after
every 3 incidents of physical restraint or seclusion rather than after the 3rd incident and
there must be an exception that provides that, notwithstanding the meeting requirements in
Section 9, subsection 2, paragraphs A and B, schools are not required to hold more than
one meeting within any 30-school-day period'

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Amend the resolve 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 authorizes final adoption of the Department of Education's major
substantive rule Chapter 33 Rules Governing Physical Restraint and Seclusion only if the
rule is amended in Section 9, subsection 2, paragraphs A and B to require meetings after
every 3 incidents of physical restraint or seclusion rather than after the 3rd incident and
there must be an exception that provides that, notwithstanding the meeting requirements in
Section 9, subsection 2, paragraphs A and B, schools are not required to hold more than
one meeting within any 30-school-day period

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FISCAL NOTE REQUIRED

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(See attached)

COMMITTEE AMENDMENT



131st MAINE LEGISLATURE

LD 393

LR 2405(02)

Resolve, Regarding Legislative Review of Portions of Chapter 33: Rules Governing Physical Restraint and Seclusion, a Major Substantive Rule of the Department of Education

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-391)

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the Department of Education associated with the legislative review of portions of Chapter 33 Rules Governing Physical Restraint and Seclusion can be absorbed within existing budgeted resources