

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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 only if:

**1. Eligibility for state funding.** The portion of Section 6 of the rule designated as subsection 2, "Eligibility for State Funding" is amended to establish that, as a condition of approval for state funding, the applicant school administrative unit must demonstrate that the proposed solution is equivalent to or better than other options after taking into consideration all resources and facilities within the region, including those that are reasonably available from other school administrative units.

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 minority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment provides that the provisionally adopted rule is authorized only if the rule is amended to include that, as a condition for approval for state funding, the applicant school administrative unit demonstrates that the proposed solution is equivalent to or better than other options after taking into consideration all resources and facilities within the region, including those that are reasonably available from other school administrative units.

## FISCAL NOTE REQUIRED

(See attached)