

Date: (Filing No. H- )

**EDUCATION AND CULTURAL AFFAIRS**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
125TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1284, L.D. 1742, Bill, “An Act To Amend Education Laws”

Amend the bill in Part A by inserting after section 1 the following:

**Sec. A-2. 20-A MRSA §6051, sub-§1, ¶H**, as enacted by PL 2009, c. 571, Pt. E, §12, is amended to read:

H. A determination of whether the school administrative unit has complied with budget content requirements pursuant to section 15693, subsection 1 and cost center summary budget format requirements pursuant to sections 1305-C, 1485, 1701-C and 2307; ~~and~~

**Sec. A-3. 20-A MRSA §6051, sub-§1, ¶I**, as enacted by PL 2009, c. 571, Pt. E, §13, is amended to read:

I. A determination of whether the school administrative unit has exceeded its authority to expend funds, as provided by the total budget summary article; ~~and~~

**Sec. A-4. 20-A MRSA §6051, sub-§1, ¶J** is enacted to read:

J. A determination of whether the school administrative unit has complied with the applicable provisions of the unexpended balances requirements established under section 15004.'

Amend the bill in Part B in section 1 in subsection 4 in the 4th line (page 1, line 34 in L.D.) by striking out the following: "30" and inserting the following: '45'

Amend the bill in Part E in section 1 in subsection 9 in the last line (page 3, line 34 in L.D.) by inserting after the following: "expense." the following: 'For the purposes of this subsection, "foreign exchange student" means a student who has been approved for a J-1 visa to participate in the Exchange Visitor Program for secondary school students pursuant to the provisions of the federal Mutual Educational and Cultural Exchange Program under 22 United States Code, Chapter 33 and 22 Code of Federal Regulations, Section 62.25.'

**COMMITTEE AMENDMENT**

1 Amend the bill in Part H in section 1 in §8101-A by striking out all of subsection 3  
2 and inserting the following:

3 **3. Waivers.** Beginning with the 2012-2013 school year, a school administrative unit  
4 that did not operate a gifted and talented program in the 2011-2012 school year may  
5 apply to the commissioner for a one-year waiver of this requirement if full  
6 implementation of this requirement presents an undue burden. The commissioner may  
7 grant a school administrative unit a waiver upon receipt of an application from the school  
8 administrative unit that includes the basis for the waiver request. Financial hardship is  
9 one criterion the commissioner must consider in determining whether to grant a waiver.  
10 The rules amended or adopted by the department under subsection 4 must establish  
11 requirements applicable to the commissioner's authority to grant a one-year waiver to a  
12 school administrative unit and must provide requirements for an extension of a one-year  
13 waiver granted to a school administrative unit, including provisions that require that any  
14 additional request for extensions must be submitted and reviewed on an annual basis.

15 **4. Rules.** The department shall amend or adopt routine technical rules as defined in  
16 Title 5, chapter 375, subchapter 2-A establishing procedures and criteria for approval of  
17 gifted and talented education programs under this chapter.'

18 Amend the bill by inserting after Part I the following:

19 **'PART J**

20 **Sec. J-1. 20-A MRSA §1466, sub-§9,** as enacted by PL 2009, c. 580, §9, is  
21 repealed and the following enacted in its place:

22 **9. Required vote.** Before the municipality may withdraw from the regional school  
23 unit, the withdrawal agreement must be approved by a majority vote of those casting  
24 valid votes in the municipality, and the total number of votes cast for and against  
25 withdrawal at the municipal vote must equal or exceed 50% of the total number of votes  
26 cast in the municipality for Governor at the last gubernatorial election.

27 This subsection is repealed January 1, 2015.

28 **Sec. J-2. 20-A MRSA §1466, sub-§9-A** is enacted to read:

29 **9-A. Required vote; exception for a municipality of a school administrative**  
30 **district that was reformulated as a regional school unit.** A 2/3 vote of those casting  
31 valid votes in the municipality is required before a municipality that is a member  
32 municipality of a school administrative district that was reformulated as a regional school  
33 unit pursuant to Public Law 2007, chapter 240, Part XXXX, section 36, subsection 12  
34 may withdraw from the regional school unit.

35 This subsection is repealed January 1, 2015.

36 **Sec. J-3. 20-A MRSA §1466, sub-§9-B** is enacted to read:

37 **9-B. Required vote.** Beginning January 1, 2015 a 2/3 vote of those casting valid  
38 votes in the municipality is required before the municipality may withdraw from the  
39 regional school unit.



