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Date: (Filing No. H- )

**EDUCATION AND CULTURAL AFFAIRS**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
126TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 231, L.D. 322, “Resolve, Regarding Legislative Review of Portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a Major Substantive Rule of the State Board of Education”

Amend the resolve by striking out everything after the emergency preamble and before the emergency clause 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 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 the following changes are made:

- 1. The rule must be amended in Sections 1 and 6 to clarify that the role and responsibility of the State Board of Education is to provide design and funding approval and the role and responsibility of the Commissioner of Education is to provide final funding approval for school construction projects eligible for state funding; and
- 2. The rule must be amended in Sections 6, 10, 11 and 12 to clarify that:
  - A. The State Board of Education is responsible for issuing letters of approval for site approval, concept approval and design and funding approval if it approves the recommendations for each element of the approval process for school construction projects eligible for state funding; and
  - B. The Commissioner of Education is responsible for issuing a certificate of final funding approval once the contract bidding for the school construction project has been completed and the final project budget has been established by the Commissioner of Education or the commissioner's designee.'

**SUMMARY**

This amendment provides that final adoption of portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a Major Substantive

**COMMITTEE AMENDMENT**

COMMITTEE AMENDMENT “ ” to H.P. 231, L.D. 322

1 Rule of the State Board of Education, is authorized contingent upon the State Board of  
2 Education making specified changes to the proposed rule.

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**FISCAL NOTE REQUIRED**

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**(See attached)**