



130th MAINE LEGISLATURE

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Legislative Document

No. 278

H.P. 194

House of Representatives, February 1, 2021

**An Act To Establish a Process for the Consideration and
Implementation of Changes to Mandated Instruction or Training
for Students**

Received by the Clerk of the House on January 28, 2021. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BRENNAN of Portland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 5 MRSA §12004-I, sub-§18-G** is enacted to read:

3 **18-G.**

4 Education Review Committee on Not Authorized 20-A MRSA §4710-C
5 Proposed Legislation

6 **Sec. 2. 20-A MRSA §4710-C** is enacted to read:

7 **§4710-C. Establishment or substantial expansion of mandated instruction or training**

8 A joint standing committee of the Legislature that considers proposed legislation to
9 establish mandated instruction or training for students in elementary or secondary school
10 not required under this Title or rules adopted pursuant to this Title or to substantially
11 expand mandated instruction or training for students in elementary or secondary school
12 shall evaluate the proposed legislation in accordance with this section.

13 **1. Request to commissioner.** Upon the referral to a joint standing committee of the
14 Legislature of legislation that proposes new or substantially expanded mandated instruction
15 or training, the joint standing committee shall hold a public hearing and briefly and
16 informally review the proposal. Following this informal review, the committee shall:

17 A. Request that the commissioner convene the review committee established in
18 subsection 2 and report the review committee's findings and recommendations to the
19 joint standing committee by a specific date established in consultation with the
20 department; or

21 B. Hold a work session to work and vote on the proposed legislation.

22 **2. Review Committee on Proposed Legislation.** The Review Committee on
23 Proposed Legislation, referred to in this section as "the review committee," is established.
24 The commissioner shall appoint members to the review committee including teachers,
25 administrators and content specialists within the department and a representative of an
26 association of statewide curriculum leaders to evaluate any proposals governed under
27 subsection 1.

28 **3. Evaluation.** Upon a request by a joint standing committee of the Legislature under
29 subsection 1, paragraph A, the review committee shall review the legislation that proposes
30 to establish or substantially expand mandated instruction or training and shall identify
31 whether the subject of the proposal is already addressed within existing courses of study
32 aligned with the system of learning results as established in section 6209. If the subject of
33 the proposal is not already addressed within existing courses of study, the review committee
34 shall analyze the positive and negative effects of establishing or substantially expanding
35 the mandated instruction or training contained in the proposal and shall specifically
36 consider issues of availability of resources, costs to implement the proposal, staff expertise,
37 the number of required courses of study that exist in accordance with the system of learning
38 results and the available hours of instruction. The review committee shall invite the
39 sponsor of the proposed legislation to participate in the evaluation.

40 **4. Findings and recommendations.** The commissioner shall submit and present a
41 final report containing the review committee's findings and recommendations to the joint
42 standing committee of the Legislature that requested the review pursuant to this section

1 that includes any legislation required to implement the recommendations. The review
2 committee may recommend that no legislative action be taken on a proposal.

3 **5. Rulemaking.** The commissioner shall adopt rules to implement this section. Rules
4 adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter
5 375, subchapter 2-A.

6 SUMMARY

7 This bill does the following.

8 1. It establishes the Review Committee on Proposed Legislation as a board with
9 minimal authority and provides that members are not entitled to compensation.

10 2. It requires the joint standing committee of the Legislature that considers proposed
11 legislation that would establish or substantially expand mandated instruction or training for
12 students in elementary or secondary school to hold a public hearing on the proposal and
13 then either vote to request that the Commissioner of Education convene the Review
14 Committee on Proposed Legislation to review the proposal and report to the joint standing
15 committee by a specific date chosen in consultation with the Department of Education or
16 hold a work session to work and vote on the proposed legislation.

17 3. It requires the Commissioner of Education to appoint the Review Committee on
18 Proposed Legislation's members, including teachers, administrators and content specialists
19 within the Department of Education and a representative of an association of statewide
20 curriculum leaders, and requires the review committee to invite the sponsor of the proposed
21 legislation to participate in its evaluation.

22 4. It provides that, as part of the evaluation, the Review Committee on Proposed
23 Legislation must analyze the positive and negative effects of the proposed legislation and
24 the costs to implement the proposal.

25 5. It requires the Commissioner of Education or the commissioner's designee to present
26 the final report of the Review Committee on Proposed Legislation to the joint standing
27 committee.