

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
106TH LEGISLATURE

COMMITTEE AMENDMENT "A" to H. P. 751, L. D. 965, Bill,  
"AN ACT Relating to Exceptional Children."

Amend said Bill by inserting after the underlined words  
"opportunities for" in the 5th line (4th line in L. D.) of that  
part designated "§3121." of section 1 the underlined word 'all'

Further amend said Bill by striking out all of subsection  
1 of that part designated "§3123." of section 1 and inserting in  
place thereof the following:

'1. Exceptional child. "Exceptional child" means any person  
between the ages of 5 and 20 determined to be mentally handicapped,  
emotionally handicapped, hearing impaired, speech and language  
impaired, learning disabled, visually impaired, physically  
handicapped or multiply handicapped, as defined by the Maine  
Department of Educational and Cultural Services.'

Further amend said Bill by striking out in the 2nd line  
(same in L. D.) of that part designated "§3127." of section 1  
the underlined word "an"; and by inserting after the underlined  
word "education" in the 3rd line (2nd in L. D.) the underlined  
words 'and training'

Further amend said Bill by inserting at the end of that  
part designated "§3131." of section 1 the following underlined  
paragraph:

'Nothing in this / <sup>chapter</sup> shall be construed to authorize or  
require physical examinations or medical treatment of any child

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whose parent objects thereto on the grounds he relies solely upon nonmedical remedial care and treatment in accordance with a recognized religious method of healing.'

Further amend said Bill by striking out in the 2nd line of that part designated "§3134." of section 1 (same in L. D.) the underlined word "shall" and inserting in place thereof the underlined word 'may'

Further amend said Bill by striking out all of that part designated "§3135." of section 1.

Further amend said Bill by striking out in subsection 1 of that part designated "§3136." of section 1 all of the last underlined sentence.

Further amend said Bill in subsection 2 of that part designated "§3136." of section 1 by inserting after the underlined words "public hearing" in the 2nd line (same in L. D.) the underlined punctuation and words ',by the State Board of Education,'

Further amend said Bill by striking out all of subsection 3 of that part designated "§3136." of section 1 and inserting in place thereof the following:

'3. --waiver. Notwithstanding the provision of subsection 1, if the commissioner is presented with substantial evidence by an administrative unit that significant hardship exists, he may waive enforcement of this statute until July 1, 1977.'

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Further amend said Bill by striking out all of subsection 4 of that part designated "§3136." of section 1.

Further amend said Bill in subsection 1 of that part designated "§3137." of section 1 by striking out in the 4th line (3rd in L. D.) the underlined words "and equipment"

Further amend said Bill by striking out all of subsection 5 of that part designated "§3137." of section 1.

Further amend said Bill by renumbering subsections 1 to 7 of that part designated "§3137." of section 1 to be subsections 1 to 6.

Further amend said Bill by inserting before the last paragraph of that part designated "§3138." of section 1 the following underlined paragraph:

'The commissioner shall approve all tuition charges. It is the legislative intent that any increase shall not be in excess of 115% of the preceding year's cost, unless sufficient evidence is presented to the commissioner by the private facility that a hardship would exist if the proposed tuition rate is not granted.'

Further amend said Bill by renumbering designated "§3136." to "§3142." of section 1/<sup>to</sup>be "§3135." to "§3141."

Statement of Fact

The purpose of this amendment is to restrict eligibility for the program to preclude the State from participation in programs at operational level and to have the commissioner approve all tuition charges.

Reported by the Committee on Education.

Reproduced and distributed under the direction of the Clerk of the House.  
5/14/73

(Filing No. H-374)