

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. H-861)

COMMITTEE AMENDMENT " A " to H.P. 972, L.D. 1169,
Bill, "AN ACT to Amend the Special Education Tuition
Reimbursement Law."

Amend the Bill by striking out everything after the
title and before the enacting clause and inserting in its
place the following:

'Emergency preamble. Whereas, Acts of the Legislature
do not become effective until 90 days after adjournment
unless enacted as emergencies; and

Whereas, some local units presently are not reimbursed
the full cost of providing special education services to
certain students who are residents of state institutions; and

Whereas, the special education law requires monitoring
of local programs by the state department and funds are
presently available to pay for this activity; and

Whereas, in the judgment of the Legislature, these
facts create an emergency within the meaning of the
Constitution of Maine, and require the following legislation
as immediately necessary for the preservation of the public
peace, health and safety; now, therefore, '

Further amend the Bill by striking out everything after
the enacting clause and inserting in its place the following:

'Sec. 1. 20 MRSA §3744, sub-§1, ¶D, sub-¶(2), as enacted
by PL 1977, c. 358, §6, is amended to read:

(2) Tuition and board for state wards, pupils who

are educated in public schools and are patients at either Pineland Hospital, the Augusta Mental Health Institute, the Bangor Mental Health Institute, the Elizabeth Levinson Center or the Aroostook Mental Health Center and other pupils placed directly by the State in accordance with rules and regulations adopted by the Department of Educational and Cultural Services; and Sec. 2. 20 MRSA §3747, sub-§3, ¶D, sub-¶(2), as enacted by PL 1977, c. 358, §8, is amended to read:

(2) Tuition and board for state wards, pupils who are educated in public schools and are patients at either Pineland Hospital, the Augusta Mental Health Institute, the Bangor Mental Health Institute, the Elizabeth Levinson Center or the Aroostook Mental Health Center and other pupils placed directly by the State in accordance with rules and regulations adopted by the Department of Educational and Cultural Services; and

Sec. 3. 20 MRSA §3748, sub-§1, ¶C, sub-¶(1), 2nd ¶, 2nd sentence, as amended by PL 1977, c. 358, §10, is further amended to read:

Special education tuition and board for state wards, pupils who are educated in public schools and are patients at either Pineland Hospital, the Augusta Mental Health Institute, the Bangor Mental Health Institute, the Elizabeth Levinson Center or the Aroostook Mental Health Center and other pupils placed directly by the State shall be paid by the State in the year of allocation at 100% of the actual cost.

Sec. 4. 20 MRSA §3748, sub-§13, as enacted by PL 1977, c. 358, §13, is amended to read:

13. Reimbursement for special education. The commissioner is authorized to make tuition and board payments directly to private special education boarding schools which receive state wards, pupils who are educated in public schools and are patients at either Pineland Hospital, the Augusta Mental Health Institute, the Bangor Mental Health Institute, the Elizabeth Levinson Center or the Aroostook Mental Health Center or other pupils placed directly by the State.

Sec. 5. Appropriation. There is appropriated from the General Fund to the Department of Educational and Cultural Services for the fiscal years ending June 30, 1978 and June 30, 1979, the sum of \$128,000 to fund the necessary costs of approving, evaluating and monitoring special education programs as required by the Revised Statutes, Title 20, sections 3125 and 3126. The breakdown shall be as follows:

	<u>1977-78</u>	<u>1978-79</u>
EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF		
Division of Special Education		
Personal Services	(3) \$ 48,000	(3) \$ 50,000
All Other	<u>15,000</u>	<u>15,000</u>
Total	\$ <u>63,000</u>	\$ <u>65,000</u>

Sec. 6. Appropriation. There is appropriated from the General Fund to the Department of Educational and Cultural Services for the fiscal year ending June 30, 1978, the sum of \$200,000 to provide for the education costs of pupils who are educated in public schools and are patients at either Pineland Hospital, the Augusta Mental Health Institute, the Elizabeth Levinson Center or the Aroostook Mental Health Center. The breakdown shall be as follows:

1977-78

EDUCATIONAL AND CULTURAL SERVICES,
DEPARTMENT OF

All Other	\$200,000
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Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect July 1, 1977.'

Statement of Fact

The purposes of this bill are to:

1. Provide that local units will be reimbursed 100% of the cost of pupils who are educated at the public expense and are patients of certain state institutions;
2. Appropriate funds for the costs of these students; and
3. Appropriate funds for staff in the department to monitor local programs.

Reported by the Committee on Education.

Reproduced and distributed under the direction of the Clerk of the House.
6/28/77

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