

# MAINE STATE LEGISLATURE

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(Filing No. H-510)

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

HOUSE AMENDMENT "A" to H.P. 1638, L.D. 1836, Bill, "AN ACT  
Relating to Special Education Tuition and Board."

Amend the Bill by striking out all of section 7.

Further amend the Bill by renumbering sections 8 to 11  
sections  
to be 7 to 10.

Further amend the Bill by striking out all of section 12  
and inserting in its place the following:

'Sec. 11. 20 MRSA §3748, sub-§3, ¶¶G and H are enacted  
to read:

'G. If the parents of a special education pupil change residence within the State at any time during the year, then the commissioner shall adjust the special education tuition and board estimates of the affected administrative units. If a unit petitions the commissioner and demonstrates that the tuition or board payments to a special education facility for the initial placement of an exceptional child by an administrative unit will cause that unit to exceed its total budgetary limitation, the commissioner may adjust the unit's allocation to include up to 90% of the amount of the tuition and board payments. The funds for such adjustment shall be limited to the amount appropriated by the Legislature under section 3747, subsection 6. School committees and boards of school directors shall be authorized to expend the funds allocated, notwithstanding any other statute. The commissioner is authorized, notwithstanding any other statute, to obtain expenditures and estimates of expenditures from the administrative units for the purpose of making necessary adjustments to the special

education cost estimates for the state's fiscal year 1977.

H. There is established within the department a contingent account for the purpose of reimbursing any unit in which the actual expenditures for special education tuition and board have exceeded the unit's estimated costs, as adjusted by the commissioner, due to students requiring special education tuition and board who have been identified after the unit's estimate has been submitted to the commissioner. The commissioner is authorized to adjust the allocation to any unit qualifying under this paragraph. -> All units shall be prorated if necessary to remain within the sum appropriated to the contingent account, local administrative units are authorized to expend any funds received through these adjustments without calling for a special meeting of the local legislative body.'

Further amend the Bill by renumbering section 13 and 14 to be sections 12 and 13.

Further amend the Bill by striking out all of the emergency clause and inserting in its place the following:

'Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect for subsidy purposes when approved, except section 11 which relates to Title 20, section 3748, subsection 3, paragraph H, which shall take effect on July 1, 1978.'

Statement of Fact

The purposes of this amendment are to retain the reimbursement for the costs of special education tuition and board on a year of allocation basis and to establish a contingency account for any units whose special education tuition and board actual expenditures have exceeded its estimated costs because of the identification of new students requiring special education tuition and board.

Filed by Mrs. Prescott of Hampden.

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