

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

STATE OF MAINE  
HOUSE OF REPRESENTATIVES (Filing No. H-388)  
109TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 410, L.D. 527, Bill,  
"AN ACT Relating to Current Funding of Special Education Tuition."

Amend the Bill by inserting before the enacting clause 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 administrative units may experience fiscal hardship because of the costs of special education tuition and board associated with an unexpected initial placement; and

Whereas, this bill will provide for additional state aid to a unit which experienced such hardship; and

Whereas, the provisions for this additional state aid should be in effect prior to the beginning of the 1979-80 school year; 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 §4749, sub-§6, ¶A, as enacted by PL 1977, c. 625, §8, is amended to read:

A. If an administrative unit petitions the commissioner and demonstrates that the tuition or board payment ~~to a special~~

~~education-facility~~ for the initial placement of an exceptional child will cause ~~a-budgetary-hardship~~ the unit's budget for special education programs operated by the administrative unit and for special education tuition and board to exceed 5% of the unit's total budget for the current year, the commissioner ~~may~~ shall adjust the unit's state allocation to include ~~up to~~ the amount ~~of the tuition-and-board-payments~~ by which these costs exceed the 5% limit.

Sec. 2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1979-80

EDUCATIONAL AND CULTURAL SERVICES,  
DEPARTMENT OF

General purpose aid for local schools

All Other \$500,000

This money is to be used for the special education adjustment as provided in Title 20, section 4749, subsection 6, paragraph A.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect July 1, 1979.'

Statement of Fact

The purpose of this amendment is to establish a precise standard for the implementation of the special education adjustment.

Reported by the Committee on Education  
Reproduced and distributed under the direction of the  
Clerk of the House.

5/11/79 (Filing No. H-388)