

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 302

H. P. 268

House of Representatives, January 20, 1981

Submitted by the Department of Educational and Cultural Services pursuant to Joint Rule 24

Referred to the Committee on Education. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Rolde of York.

Cosponsor: Mr. D. Brown of Livermore Falls.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Amend Special Education Statutes to Provide for the Computation of Board and Care and to Authorize Rate Approval by the Commissioner.

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

20 MRSA § 3130, sub-§ 4 is enacted to read:

4. **Board and care rate.** The commissioner shall approve all board and care rates charged by agencies, institutions or facilities licensed by the State which operate a special education facility as defined in section 3125, subsection 5. Board and care rates charged by private schools, agencies or institutions which serve exceptional children shall be defined in regulations established by the commissioner in accordance with section 3132.

STATEMENT OF FACT

The implementation of rate establishment procedures requires the identification of costs by program components; tuition, board and care and treatment. The department and school administrative units have a responsibility to provide appropriate special education programs and services at no cost to parents. The commissioner needs statutory authority to approve rates for the board and care component.