MAINE STATE LEGISLATURE

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1 2	(EMERGENCY) (After Deadline)
3 4	FIRST REGULAR SESSION
5 6	ONE HUNDRED AND ELEVENTH LEGISLATURE
7 8	Legislative Document No. 1703
9 10	S.P. 586 In Senate, May 26, 1983 Reference to the Committee on Education is suggested. Ordered printed and sent up for concurrence.
11	Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27. EDWIN H. PERT, Clerk
12	Presented by Senator Pray of Penobscot. Cosponsors: Senator Hayes of Penobscot and Representative Mitchell of Vassalboro.
14 15	STATE OF MAINE
16 17 18	IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-THREE
19 20	AN ACT Relating to Exceptional Children.
21 22 23	Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and
24 25 26 27 28 29 30	Whereas, the definition of exceptional children, as enacted by the 107th Legislature, has caused confusion among school administrators in planning local school budgets and needs to be revised without delay in order to provide for the effective and efficient delivery of services to handicapped students throughout Maine; and
31 32 33	Whereas, in view of the Legislature's stated policy of providing equal educational opportunities to all children in the State; and
34 35 36 37	Whereas, the confusion created by the current definition may cause otherwise eligible exceptional children to be deprived of their rights to equal educational opportunities; 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,

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

- 9 Sec. 1. 20 MRSA §3123, sub-§1, as repealed and 10 replaced by PL 1975, c. 732, §2, is amended to read:
 - 1. Exceptional children. "Exceptional children" means any persons who reach the age of 5 years on or before October 15th of any school year, July 1st through June 30th of the following year, and until the end of the school year, July 1st through June 30th of the following year, in which such persons reach the age of 20 years who require special services in the area of vision, audition, speech and language, cerebral or perceptual functions, physical mobility functions, behavior, mental development or maturation, or multiples of these functions, as defined by the commissioner, so that their educational progress and potential may be realized.
- 24 Sec. 2. 20-A MRSA §7001, sub-§2, ¶B, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:
- 26 B. Has not reached 20 years of age at the start 27 of the school year, July 1st through June 30th of 28 the following year; and
- 29 Emergency clause. In view of the emergency 30 cited in the preamble, this Act shall take effect 31 when approved.

32 STATEMENT OF FACT

The purpose of this bill is to define the term "school year" as used in the definition of "exceptional children" in order to make uniform the time period during which eligibility is determined. This bill eliminates the possibility that an exceptional child's eligibility for educational services could

1	vary depending upon the	community of his residence,
		state's policy of "equal edu-
3	cational opportunities"	for those children.