

MAINE STATE LEGISLATURE

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1 (EMERGENCY)
2 FIRST REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 1355

7
8 H.P. 946

House of Representatives, April 19, 1985

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

11 EDWIN H. PERT, Clerk

Presented by Representative Holloway of Edgecomb.

12 Cosponsored by Representative Scarpino of St. George and Senator
Bustin of Kennebec.

13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-FIVE
17

18 AN ACT to Provide the State Payment for
19 Residential Placements for Special
20 Education Students in the Current
21 Year.
22

23 Emergency preamble. Whereas, Acts of the Legis-
24 lature do not become effective until 90 days after
25 adjournment unless enacted as emergencies; and

26 Whereas, school budgets are passed in the spring;
27 and

28 Whereas, in the judgment of the Legislature,
29 these facts create an emergency within the meaning of
30 the Constitution of Maine and require the following
31 legislation as immediately necessary for the preser-
32 vation of the public peace, health and safety; now,
33 therefore,

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

1 Sec. 1. 20-A MRSA §15603, sub-§22, ¶B, as en-
2 acted by PL 1983, c. 859, Pt. G, §§2 and 4, is
3 amended to read:

4 B. The Prior to base year 1983-84, the costs of
5 tuition and board to other schools for programs
6 which have been approved by the commissioner.
7 Medical costs shall not be allowable as part of a
8 tuition charge; and

9 Sec. 2. 20-A MRSA §15603, sub-§22, ¶B-1 is en-
10 acted to read:

11 B-1. Starting in base year 1983-84, the cost of
12 tuition and board to other in-state schools not
13 covered under section 15613, subsection 5, for
14 programs which have been approved by the commis-
15 sioner. Medical costs shall not be allowable as
16 part of a tuition charge; and

17 Sec. 3. 20-A MRSA §15607, sub-§9-A is enacted to
18 read:

19 9-A. Appropriate money for special education pu-
20 pils placed by school administrative units. In ac-
21 cordance with section 15613, subsection 5, appropri-
22 ate the necessary funds for tuition and board for
23 students placed in out-of-state special educational
24 boarding schools.

25 Sec. 4. 20-A MRSA 15613, sub-§5, as enacted by
26 PL 1983, c. 859, Pt. G, §§2 and 4, is repealed and
27 the following enacted in its place:

28 5. Direct special educational payments. The
29 commissioner may make tuition and board payments di-
30 rectly to private special educational boarding
31 schools which receive:

32 A. State wards or other pupils placed directly
33 by the State; and

34 B. Pupils placed by school administrative units
35 in out-of-state special educational boarding
36 schools if the placement is approved by the com-
37 missioner. These costs shall be included in the

statewide totals for program costs for the purpose of establishing the total allocation to be shared under section 15602.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect July 1, 1985.

STATEMENT OF FACT

This bill provides for payment by the State of tuition and board for students placed in out-of-state special educational boarding schools in the current year. By making the change effective for the base year 1983-84, the State will pick up the costs in 1985-86, but school units would not simultaneously include expenditures for 1983-84 and 1984-85 in their calculation of allowable costs in computing their subsidy for 1985-86 and 1986-87. This avoids a double payment by the State for that 2-year period.

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