

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 82

S.P. 81

In Senate, February 2, 1989

Reported by Senator BOST of Penobscot for the Special Commission to Study School Funding and State Tax Law pursuant to Public Law 1987, chapter 848.

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed pursuant to Joint Rule 18.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

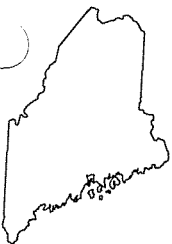
JOY J. O'BRIEN
Secretary of the Senate

STATE OF MAINE

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

An Act to Fund the Cost of the Salaries for Professionals in New or Expanded Special Education or Gifted and Talented Programs on a One-year Basis.

(EMERGENCY)



1 **Emergency preamble.** Whereas, Acts of the Legislature do not
2 become effective until 90 days after adjournment unless enacted
3 as emergencies; and

4 **Whereas,** for the Department of Educational and Cultural
5 Services to be able to develop procedures to implement this Act
6 in time for school units to apply by October 1, 1989, this
7 legislation must be enacted as an emergency measure; and

8 **Whereas,** in the judgment of the Legislature, these facts
9 create an emergency within the meaning of the Constitution of
10 Maine and require the following legislation as immediately
11 necessary for the preservation of the public peace, health and
12 safety; now, therefore,

13
14 **Be it enacted by the People of the State of Maine as follows:**

15
16 **Sec. 1. 20-A MRSA §15603, sub-§22, ¶E,** as amended by PL 1987,
17 c. 767, §3, is further amended to read:

18
19 E. The cost of tuition, books, fees and transportation for
20 courses taken at post-secondary institutions under chapter
21 208; and

22
23 **Sec. 2. 20-A MRSA §15603, sub-§22, ¶F,** as enacted by PL 1987,
24 c. 767, §4, is amended to read:

25
26 F. Starting in 1990-91 for expenditures in base year
27 1988-89, the cost of child care services as specified in
28 section 6651, subsection 3+ ; and

29
30 **Sec. 3. 20-A MRSA §15603, sub-§22, ¶G** is enacted to read:

31
32 G. The salary and benefit costs in the year prior to the
33 year of allocation of certified professionals contracted to
34 perform a special education service or teach in gifted and
35 talented programs if these costs:

36 (1) Are for new positions;

37 (2) Were reported to the commissioner by the previous
38 October 1st; and

39 (3) Result in an increase in the total number of
40 special education or gifted and talented positions from
41 the base year.

42
43 **Emergency clause.** In view of the emergency cited in the
44 preamble, this Act shall take effect on July 1, 1989.

1

STATEMENT OF FACT

3 This bill allows school units to include year-old costs for
5 new professional positions in special education or gifted and
7 talented programs in their program allocation in the school
9 funding formula. The effect is to reduce the lag time for
including these new costs in the calculation of the school units'
subsidy from 2 years to one year and to make the subsidy for
special education better reflect actual one-year-old costs.