

MAINE STATE LEGISLATURE

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L.D. 729
(Filing No. S-215)

STATE OF MAINE
SENATE
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A" to S.P. 283, L.D. 729, Bill, "An Act Regarding Reimbursement for Out-of-district Special Education Placements"

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting in its place the following:

Sec. 1. 20-A MRSA §15612, sub-§6, ¶B, as enacted by PL 1983, c. 859, Pt. G, §§2 and 4, is amended to read:

B. The funds for the adjustment shall be limited to the amount appropriated by the Legislature for that purpose. Unexpended funds may be used to fund the out-of-district placement provisions under subsection 11.

Sec. 2. 20-A MRSA §15612, sub-§10, as enacted by PL 1987, c. 827, §2 and c. 850, §§4 and 5 and as amended by PL 1987, c. 861, §§16 and 17, is repealed and the following enacted in its place:

10. Adjustment for cost of educating eligible students in long-term drug treatment centers. A school administrative unit which operates an educational program, approved pursuant to section 9701 to 9706 to serve eligible students in licensed drug treatment centers, shall be reimbursed in the year in which costs are incurred as follows.

A. Reimbursements shall be limited to a maximum of 12 state average tuition rates a year for each approved plan.

B. The rate of reimbursement per student shall not exceed the state average tuition rates in effect during the year of placement as computed under sections 5804 and 5805.

C. The funds for the adjustment shall be limited to the amount appropriated by the Legislature for that purpose.

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Sec. 3. 20-A MRSA §15612, sub-§11 is enacted to read:

11. Special education tuition and costs for out-of-district placement adjustment. A school administrative unit which places a student in an out-of-district placement shall receive an adjustment equal to the amount, if any, by which the tuition, treatment and room and board costs for an approved out-of-district special education placement in the year of allocation exceeds 3 times the secondary foundation per pupil operating rate for that year, or a prorated amount if the placement is less than a full year. State payments to school administrative units pursuant to this subsection shall be made during the year of allocation. The funds for the adjustment shall be limited to the amount appropriated by the Legislature for that purpose, and the department is authorized to prorate payments to units if the amount appropriated is insufficient to make full payments to all units. It is the intent of the Legislature to provide 100% of the cost of implementing this section from General Fund revenue sources.

Sec. 4. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1989-90	1990-91
EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF		
General Purpose Aid for Local Schools		
All Other	\$4,592,000	\$5,330,000'

STATEMENT OF FACT

This amendment limits the adjustment to amounts appropriated by the Legislature, but states legislative intent to fully fund the adjustment. Section 2 of this amendment is a technical change which corrects a conflict.

Reported by Senator Gill for the Committee on Education.
Reproduced and Distributed Pursuant to Senate Rule 12.
(6/6/89) (Filing No. S-215)