

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 767

S.P. 294

In Senate, March 14, 1989

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

Reference to the Committee on Education suggested and ordered printed.

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

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator GILL of Cumberland.

Cosponsored by Representative SMALL of Bath, Representative HANDY of Lewiston and Representative FOSS of Yarmouth.

STATE OF MAINE

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

An Act to Amend the School Finance Act to Include Transportation as a Supportive Service to Special Education for State Agency Clients.



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

3 **Sec. 1. 20-A MRSA §15613, sub-§5, ¶¶B and D, as enacted by PL**
5 1985, c. 789, §4, are amended to read:

7 B. The commissioner shall approve special education costs
9 and supportive services, including transportation, for all
state agency clients placed in residential placements by an
authorized agent of a state agency.

11 D. In the fiscal year beginning July 1, 1987, and every
13 fiscal year thereafter, the commissioner shall pay only
approved special education costs and supportive services,
15 including transportation, authorized by this subsection for
state agency clients and shall not allocate for those
17 special education costs and supportive services, including
transportation, incurred by the administrative unit for
19 state agency clients in the base years starting July 1,
1985, and every base year thereafter.

21 **Sec. 2. 20-A MRSA §15613, sub-§5, ¶E is enacted to read:**

23 E. Transportation costs for state agency clients, when
25 provided in accordance with rules established by the
commissioner under section 7204, shall be paid by the
27 department in the year of allocation at 100% of actual
costs. In the fiscal year beginning July 1, 1990, 50% of
29 those payments shall be considered part of the State's share
of the total allocation in meeting the requirements of
31 section 15602, subsection 1. Beginning July 1, 1992, these
payments shall no longer be considered part of the State's
33 share of the total allocation in meeting the requirements of
section 15602, subsection 1.

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STATEMENT OF FACT

39 For all other special education students, transportation is
41 recognized as a supportive service when it is required for a
student to benefit from a special education program. The
43 Department of Educational and Cultural Services presently pays
for all other supportive services for eligible state agency
45 clients. This bill clarifies that the Department of Educational
and Cultural Services will pay the responsible school
47 administrative unit for the cost of transportation as a
supportive service when this is identified as part of the state
agency client's individual education program.