MAINE STATE LEGISLATURE

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1	L.D. 1397
3	(Filing No. S-299)
5	
7	STATE OF MAINE SENATE
9	114TH LEGISLATURE FIRST REGULAR SESSION
11	
13	COMMITTEE AMENDMENT "A" to S.P. 509, L.D. 1397, Bill, "An Act to Amend and Clarify the Laws Relating to Services to Infants
15	and Young Children, Ages 0 through 5, Who Are Handicapped or At-risk for Developmental Delay"
17	Amend the bill by striking out all of the title and
19	inserting in its place the following:
21	'An Act to Amend and Clarify the Laws Relating to Services to Infants and Young Children, Ages O through 5, Who Are Handicapped
23	or At-risk for Developmental Delay'
25	Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in
27	its place the following:
29	'Sec. 1. 20-A MRSA §7701, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:
31 33	§7701. Purpose
35	The purpose of this chapter is to maintain coordinated delivery systems for preschool-handicapped-children infants and
37	children, ages 0 through 5, who are handicapped or at-risk for developmental delay, based on the models developed through pilot
39	projects. This chapter establishes local sites to provide statewide coverage for the purpose of ensuring services for infants and children, ages 0 through 5, who are handicapped or
41	at-risk for developmental delay as defined in this chapter.
43 45	Sec. 2. 20-A MRSA §7702, as enacted by PL 1981, c. 693, §§5 and 8, is repealed and the following enacted in its place:
47	§7702. Definitions
4.0	As used in this chapter, unless the context otherwise

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•	1. Allocation. "Allocation" means state and federal funds
3	designated for coordination of service functions at local sites.
5	2. At-risk for developmental delay. "At-risk for
	developmental delay" means infants and children, ages 0 through
7	5, who are at-risk under at least one of 3 categories:
	identified, biological or environmental.
9	2 Child Danilanach Carrian Caster HOLIT Danilanach
11	3. Child Development Services System. "Child Development Services System" or "system" means the overall governance,
11	management and personnel structure established in section 7707
13	for the provision and coordination of services for infants and
	children, ages 0 through 5, who are handicapped or at-risk for
15	developmental delay.
17	4 Caminiana Normalada and the Commissioner of
17	4. Commissioner. "Commissioner" means the Commissioner of Educational and Cultural Services.
19	Educational and Cultural Services.
19	5. Commissioners. "Commissioners" means the Commissioner
21	of Educational and Cultural Services, the Commissioner of Human
	Services, the Commissioner of Mental Health and Mental
23	Retardation and the Commissioner of Corrections.
25	6. Coordination plans. "Coordination plans" means the
23	documents submitted by the local coordinating committees to the
27	Interdepartmental Coordinating Committee for Preschool
	Handicapped Children, detailing the comprehensive plan for the
29	provision, expansion and coordination of services under this
	chapter.
31	
	7. Department. "Department" means the Department of
33	Educational and Cultural Services.
35	8. Departments. "Departments" means 2 or more of the
33	participating state agencies, the Department of Educational and
37	Cultural Services, the Department of Human Services, the
	Department of Mental Health and Mental Retardation and the
39	Department of Corrections.
41	9. Grants. "Grants" means state or federal funds
	designated for resource development or provision of direct
43	services at local sites.
45	10. Handicapped. "Handicapped" means a condition of
	infants and children, ages 0 through 5, who need early
47	intervention services because they:
49	A. Are experiencing developmental delay, as measured by
1 7	appropriate diagnostic instruments and procedures in one or
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more of the following areas:

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3	(1) Cognitive development;
5	(2) Physical development;
	(3) Language and speech development:
7	(4) Psychosocial development; or
9	(5) Self-help skills; or
11	B. Have a diagnosed physical or mental condition that has a
13	high probability of resulting in developmental delay.
15	11. Interdepartmental Coordinating Committee for Preschool Handicapped Children. "Interdepartmental Coordinating Committee
17	for Preschool Handicapped Children" means the committee
19	established in section 7704 for the purposes of ensuring interdepartmental coordination at the state level for programs
21	and services provided under this chapter.
	12. Intermediate educational unit. "Intermediate
23	Educational Unit" as defined in United States Public Law 94-142,
25	means any public authority, other than a local educational agency, under the general supervision of a state educational
23	agency, that is established by state law for the purpose of
27	providing free public education on a regional basis and that
2.0	provides special education and related services to handicapped
29	children within the State.
31	13. Local coordinating committee. "Local coordinating
33	committee" means the committee established pursuant to section 7703 at each of the local sites to ensure interdepartmental
	coordination at the local level and provide governance for the
35	local site operations.
37	14. Services. "Services" means those services which are
39	designed to meet the developmental needs of infants and children, ages 0 through 5, who are handicapped or at-risk for
	developmental delay, as defined in this chapter. These services
41	may include, but are not limited to:
43	(1) Family training, counseling or home-based services;
45	(2) Special instruction:
1 7	(3) Speech pathology and audiology;
19	(4) Occupational therapy:
51	<pre>(5) Psychological services;</pre>
53	(6) Case management services;

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1	(7) Medical services for diagnostic or evaluation
3	purposes only;
5	(8) Early identification, screening and assessment
_	services;
7	(0) 75-2(1) 77-1
9	(9) Health services necessary to enable the child to benefit from the other early intervention services;
9	benefic from the other early intervention services;
11	(10) Respite care services; and
13	(II) Transportation.
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15	15. Site. "Site" means a local coordination program for services to infants and children under this chapter and
17	previously referred to as "pilot project" or "preschool
1,	coordination project."
19	coordinacion project.
.	Sec. 3. 20-A MRSA §7703, as amended by PL 1983, c. 624, §2,
21	is repealed and the following enacted in its place:
23	§7703. Authorization for expenditure of funds
25	The commissioner may authorize the Interdepartmental
	Coordinating Committee for Preschool Handicapped Children to make
27	grants and allocations, from funds authorized to the department,
20	to local coordinating committees established in accordance with
29	subsection 4 and to agencies and school administrative units to
21	establish local coordinated delivery systems to serve infants and
31	young children, ages 0 through 5, who are handicapped or at-risk
33	for developmental delay.
33	1. Allocations and grants. First-time and renewal
35	coordination allocations to local coordinating committees may be
33	made on a noncompetitive basis, according to rules adopted by the
37	commissioner, First-time direct services grants shall be made on
· ·	a competitive basis, according to rules adopted by the
39	commissioner. Renewal grants may be made on a noncompetitive
	basis, according to rules adopted by the commissioner.
41	
	2. Rules. The rules shall assure participation at the
43	local level by agencies currently serving infants and children,
	ages 0 through 5, who are handicapped or at-risk for
45	developmental delay. They shall require that existing resources
	for providing services to infants and children, ages 0 through 5,
47	who are handicapped or at-risk for developmental delay be
	exhausted prior to using grant funds to provide services. The
49	rules shall be adopted in accordance with the Maine
	Administrative Procedure Act, Title 5, chapter 375.

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3. Fiscal services. The Interdepartmental Coordinating Committee for Preschool Handicapped Children shall ensure the provision of fiscal services for each local site receiving a grant or allocation under this chapter as described in rules promulgated by the commissioner for regulating the administration of the sites.

9 4. Local coordinating committee. The local coordinating committee, organized prior to application for receipt of a grant 11 or allocation, shall be responsible for governance of each local site. Membership shall include representatives of preschool 13 programs in the region to be served by the grant or allocation, representatives of the regional offices of the Department of 15 Human Services and the Department of Mental Health and Mental Retardation, representatives of participating school 17 administrative units, parents of infants and children who are handicapped or at-risk for developmental delay, and other 19 community members as determined appropriate. Terms of membership and methods of appointment for election shall be determined by 21 local coordinating committee by-laws, subject to approval of the Interdepartmental Coordinating Committee for Preschool 23 Handicapped Children. Responsibilities of local coordinating committees shall be defined in rules promulgated by the 25 commissioner.

Sec. 4. 20-A MRSA §7704, as amended by PL 1985, c. 295, §31, is repealed and the following enacted in its place:

§7704. Interdepartmental coordination

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The Interdepartmental Coordinating Committee for Preschool Handicapped Children established in Title 5, section 12004-I, subsection 10, representing the department, the Department of Human Services, the Department of Mental Health and Mental Retardation, the Department of Corrections and the public shall be appointed to work with the departments to monitor allocations and grants, to evaluate the performance of programs developed through the applications and to establish guidelines and rules.

The Interdepartmental Coordinating Committee for Preschool
Handicapped Children is established as an intermediate
educational unit for the purposes of carrying out the duties and obligations of this chapter.

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The Committee for the Interdepartmental Coordination of

Services to Children and Families, established pursuant to Title

34-B, section 1214, shall encourage the coordination of policies

and programs for Maine's families and children by providing advice to the Interdepartmental Coordinating Committee for

Preschool Handicapped Children and to the department in the implementation of United States Public Law 99-457.

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	1. Membership. Membership of the Interdepartmental
3	Coordinating Committee for Preschool Handicapped Children shall
	not exceed 30 members at any time with representation as follows:
5,	
	A. At least 16 of the members shall represent the public,
7	including a minimum of 3 consumer representatives. Consumer
·	representatives may include parents of infants and children
9	who are handicapped or at-risk for developmental delay, or
9	who are manurcapped of at-risk for developmental delay, or
	individuals with disabilities. In accordance with
11	procedures established by the Interdepartmental Coordinating
	Committee for Preschool Handicapped Children, each local
13	coordinating committee may nominate 3 persons for one of the
	public member slots. One of the 3 nominees by each local
15	coordinating committee shall be selected by the
	Interdepartmental Coordinating Committee for Preschool
17	Handicapped Children as a public member.
19	Selection of public members shall be consistent to ensure
	balanced representation of professional disciplines,
21	provider and consumer perspectives and geographic
	distribution.
23	distibution.
23	Mbs. Tuboud-continued Constitution Consists for December 1
2.5	The Interdepartmental Coordinating Committee for Preschool
25	Handicapped Children shall select a slate of members from
	those nominated to serve as follows: Beginning with the
27	school year 1990-91, 1/3 of the public members shall be
	appointed for one year, 1/3 for 2 years and 1/3 for 3
29	years. In subsequent years, public members shall serve
	3-year terms.
31	
	B. State agency members, appointed by the commissioners,
33	shall make up the rest of the membership. An equal number
	of members shall be maintained by the Department of Human
35	Services, the Department of Educational and Cultural
	Services and the Department of Mental Health and Mental
37	Retardation. Additional members may be appointed from other
•	state agencies as appropriate and timely.
39	Again addition as abbiabilines and armort.
J	An agency member appointed may serve for a term of up to 3
41	years expiring July 1, or until the person terminates
41	
4.0	employment or membership with the agency or group
43	represented.
45	The Interdepartmental Coordinating Committee for Preschool
	Handicapped Children shall develop rules describing the
47	composition, selection process and responsibilities of the
	members.

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1	2. Chair. The members of the Interdepartmental
3	Coordinating Committee for Preschool Handicapped Children shall
ŭ	annually elect one member to serve as chair.
5	
	3. Compensation. The members of the Interdepartmental
7	Coordinating Committee for Preschool Handicapped Children shall
_	be compensated in accordance with Title 5, chapter 379, section
9	12004-I. Agency representatives on the committee are entitled to
11	reimbursement for expenses incurred in the performance of their committee duties by the appointing agencies in accordance with
	the provisions for state employees. Consumer members are
13	entitled to reimbursement from the Interdepartmental Coordinating
	Committee for Preschool Handicapped Children for actual and
15	necessary expenses incurred in the performance of their duties.
17	4. Executive director. The department shall provide an
	Executive Director of the Interdepartmental Coordinating
19	Committee for Preschool Handicapped Children. Members of the
	Interdepartmental Coordinating Committee for Preschool
21	Handicapped Children may participate in the selection of the
23	executive director and may make recommendations to the department to employ that person.
23	to employ that person.
25	5. Meetings. The Interdepartmental Coordinating Committee
	for Preschool Handicapped Children shall meet at least bimonthly
27	and shall adopt rules for the conduct of its meetings.
29	6. Consensus. Any action taken by the Interdepartmental
	Coordinating Committee for Preschool Handicapped Children must be
31	approved by a majority vote of the members present and voting.
33	7. Policies. The Interdepartmental Coordinating Committee
33	for Preschool Handicapped Children shall establish policies for
35	carrying out its duties under this chapter.
37	8. Allocation of resources. The Interdepartmental
	Coordinating Committee for Preschool Handicapped Children shall
39	direct the departments to allocate funds appropriated to the
	departments under this chapter to each local coordinating
41	committee that assumes implementation responsibilities.
43	9. Complaint resolution. The Interdepartmental
43	Coordinating Committee for Preschool Handicapped Children shall
45	develop a method for local coordinating committees funded under
	this chapter to respond to individual complaints regarding
47	services provided by or through the interdepartmental service
	delivery system.
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	10. Conflict resolution. The Interdepartmental
51	Coordinating Committee for Preschool Handicapped Children shall

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- identify areas of conflict for resolution by the Committee for the Interdepartmental Coordination of Services to Children and Families.
- 11. Subcommittee and advisory activities. The Interdepartmental Coordinating Committee for Preschool

 Handicapped Children shall establish subcommittees and advisory groups composed of parents, professionals, advocacy group representatives, local coordinating committee representatives and local site employees and shall establish rules governing the operation of those groups.
- 12. Use of system name. The Interdepartmental Coordinating
 Committee for Preschool Handicapped Children is authorized to
 utilize the name of the Child Development Services System
 established in section 7707 in any method it sees fit, including
 as payor on payroll and other checks. The Interdepartmental
 Coordinating Committee for Preschool Handicapped Children is
 responsible for all obligations and actions taken under the name
 of the Child Development Services System.
- Sec. 5. 20-A MRSA §7705, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:
- 25 §7705. Early childhood consultant
- The position of early childhood consultant to <u>within</u> the Division of Special Education shall be established <u>continued</u> to direct <u>ensure</u> the department's participation in the coordinated <u>service</u> delivery system for <u>preschool--handicapped--children</u> infants and children, ages 0 through 5, who are handicapped or at-risk for developmental delay.

Additional consultant positions may be established in each of the participating departments to provide joint staffing and administrative support and ensure the departments' participation in the coordinated service delivery system for infants and children, ages 0 through 5, who are handicapped or at-risk for developmental delay.

- Sec. 6. 20-A MRSA §7707, as enacted by PL 1985, c. 721, §3, is amended as follows:.
 - §7707. Child Development Services System

The Preschool--Handicapped--Coordination--Services--Gouncil

Child Development Services System is established as a body corporate and politic and public instrumentality of the State and the exercise of the powers conferred by this section shall be deemed and held to be the performance of essential governmental

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- The system shall consist of the Interdepartmental Coordinating Committee for Preschool Handicapped Children, the 3 local coordinating committees and employees at the local sites. Employees. The professional and other staff of the 5 preschool-coordination-projects local sites funded under section 7 7703 shall be employees of the seaneil system. 9 The eouneil--may system shall delegate the authority to hire, fire and supervise the staff of their-projects the local sites to the local coordinating committees established 11 under section 7703, subsection 4. 13 3. Collective bargaining. The system is a public employer 15 within the meaning of Title 26, section 962, subsection 7. Employees of the system are public employees within the meaning 17 of Title 26, section 962, subsection 6. If system employees choose to be represented by a collective bargaining agent under 19 Title 26, it is the intent of the Legislature that, in order to foster meaningful collective bargaining, bargaining units shall 21 be structured in such a way as to avoid excessive fragmentation whenever possible. In accordance with this policy, bargaining 23 units shall be structured on a system-wide basis with one unit for each of the following occupational groups: 25 A. Supervisory staff; 27 B. Professional and technical staff; and 29 C. Clerical and support staff. 31 Sec. 7. 20-A MRSA §7708, as enacted by PL 1985, c. 721, §3, 33 is repealed and the following enacted in its place: 35 §7708. Governance of the Child Development Services System 37 The Interdepartmental Coordinating Committee for Preschool Handicapped Children shall be the governing body of the Child 39 Development Services System. This authority shall not override the authority assigned to the local coordinating committees in 41 section 7703, subsection 4.
- 1. Executive director. The Executive Director of the 43 Interdepartmental Coordinating Committee for Preschool 45 Handicapped Children shall serve as executive director of the system and shall be responsible for administering and 47 coordinating the daily administrative responsibilities of the system.
- Sec. 8. 20-A MRSA §7709, as enacted by PL 1985, c. 721, §3, 51 is repealed.

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	Sec. 9. 20-A MRSA §7710 is enacted to read:
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\$7	7710. System duties, powers and obligations
	Mba Tabadaaashaashaashaashaashaashaashaashaasha
** -	The Interdepartmental Coordinating Committee for Preschool
Hē	andicapped Children as governing body of the system shall:
	1. Address issues. Address, with the advice of the local
c (oordinating committees, contemporary issues affecting
ir	atervention services in the State, including, but not limited
	o, the following:
	A. Successful early intervention strategies;
	B. Personnel preparation and continuing education;
	- - · · · · · · · · · · · · · · · · · ·
	C. Child find activities and methods as required by United
	States Public Law 94-142;
	D. Public awareness as required by United States Public Law
	99-457; and
	E. Contemporary research:
	2 Patamandahina Paramand to the description with the
- 4	 Recommendations. Recommend to the departments, with the lyice of the local coordinating committees, legislation that is
	eded to develop further and to maintain a statewide system of
	ality intervention services;
1 4	WATEL THEOLYCHOLON BOLVICOS
	3. By-laws: seal. To develop and adopt by-laws for the
re	egulation of the system's affairs and conduct of its business
	d develop and adopt an official seal;
	4. Assist. Assist in the development and implementation of
	iles, through the department, as may be necessary to carry out
	me duties and purposes of this chapter. Any regulation adopted
_	the departments shall be promulgated in conformity with the
Ma	ine Administrative Procedure Act, Title 5, chapter 375;
	E Binni managana Barata a a a a a a a a a a a a a a a a a
_	5. Fiscal management. Receive, expend, allocate and
	ansfer funds within the system, as necessary to fulfill the
	rpose of this chapter, in accordance with all other applicable
	deral and state statutes and rules, and in accordance with the
	dget, as submitted by each participating department and
_	proved by the Legislature. The Interdepartmental Coordinating
	mmittee for Preschool Handicapped Children may receive and cept, from any source, loans, aid or contributions of money,
	operty, labor or other things of value to be held, used or
	operty, labor of other things of value to be held, used of uplied to carry out the purposes of this chapter, subject to the
	enditions upon which the loans, grants and contributions may be
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- 1 made, including, but not limited to, loans, grants or gifts from any federal agency or governmental subdivision or the State or 3 its agencies. The Interdepartmental Coordinating Committee for Preschool Handicapped Children may also accept grants and gifts 5 on behalf of the local sites and pay such funds directly to the sites or hold or dispose of the grants or gifts on behalf of the 7 local site as the Interdepartmental Coordinating Committee for Preschool Handicapped Children determines. Except as otherwise 9 provided for in this chapter or other applicable federal or State statutes or rules, the Interdepartmental Coordinating Committee for Preschool Handicapped Children may invest any funds not 11 needed for immediate use, including any funds held in reserve, in · 13 property and securities in which fiduciaries in the State may legally invest funds: 15 Personnel policies. Develop and adopt personnel 17 policies for the system. The provisions of Title 5, chapter 71, of the personnel laws do not apply to the system;
 - 7. Fringe benefits. Determine which fringe benefits shall
 be offered to employees, dependent on cost, ease of administration and competitiveness in recruiting and retaining qualified personnel;
 - 25 <u>8. Retirement plan. Select a nondiscriminatory employee</u>
 retirement plan option which meets all applicable federal and
 27 state requirements:
 - 9. Contracts. Subject to the approval of the department, enter into contracts, leases and agreements and any other instruments and arrangements that are necessary, incidental or convenient to the performance of the system's duties and the execution of its powers under this chapter. The Interdepartmental Coordinating Committee for Preschool Handicapped Children may authorize the local coordinating committees to enter into legal agreements on behalf of the Child Development Services System, subject to rules promulgated by the commissioner;

10. Suits. Sue and be sued in its own name. Service of
process in any action shall be made by service upon the executive
director, either in hand or by leaving a copy of the process at
the Child Development Services System office;

11. Liability. All system employees, local coordinating committee members and members of the Interdepartmental
Coordinating Committee for Preschool Handicapped Children shall be covered by the Maine Tort Claims Act, Title 14, chapter 741.
Liability insurance shall be secured by the Interdepartmental Coordinating Committee for Preschool Handicapped Children for any

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1	employees, local coordinating committee members or members of the
	Interdepartmental Coordinating Committee for Preschool
3	Handicapped Children who are determined not to be covered under
	the Maine Tort Claims Act by an opinion from the Attorney General;
5	
	12. Acquire supplies. Acquire supplies, materials and
7	incidental services, through cash purchases, sole-source purchase
	orders, bids or contracts, as necessary or convenient to fulfill
9	the purposes of this chapter;
11	13. Acquire property. Acquire by purchase, gift, lease or
	rent any property, lands, buildings, structures, facilities or
13	equipment necessary to fulfill the purposes of this chapter; and
15	14. Other duties. Fulfill other duties assigned by the
	Legislature, and to delegate duties and authority, but not
17	responsibility, as necessary for the efficient operation of this
	chapter, and to do any other acts or things necessary or
19	convenient to carry out the powers expressly granted or
	reasonably implied in this chapter.
21	
	Sec. 10. 20-A MRSA §7721, as enacted by PL 1985, c. 487, §3,
23	is amended as follows:
25	In addition to the programs authorized in this chapter, the
	commissioner may authorize expenditures to institutions and
27	organizations for the speech and language education of for
	children who are hearing and or language impaired ehildren who
29	have not reached compulsory school age.
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31	Sec. 11. 20-A MRSA §7722, as enacted by PL 1985, c. 487, §3,
	is amended to read:
33	
	§7722. Preschool services to handicapped children
35	
	In addition to the programs authorized in subchapter I, the
37	commissioner may authorize expenditures to school administrative
	units for services te-preschool-handicapped-students for infants
39	and children, ages 0 through 5, who are handicapped or at-risk
	for developmental delay.
41	1 0 1 1 100 00 7 10 10 10 10 10 10 10 10 10 10 10 10 10
	1Schoolyear1985-86Forthe-school-year1985-86,
43	allowable-special-education-expenditures-as-defined-in-section
. =	15603,-subsection-22,-paragraph D, subparagraph-(1), will-be-made
45	directly-to-school-administrative-units-based-on-costs-for-the
4.5	base-year-1983-84-updated-to-1984-85-empenditures-
47	
4.0	2. School year 1986-87 and subsequent years. Starting in
49	1986-87 for base year costs in 1984-85 expenditures will be made

through the school subsidy formula.

3. Federal and state funds. Federal and state grants awarded to school administrative units to initiate these services shall be considered local funds in computing the units units educational costs in chapter 606. Fer-the-base-year-1984-85 enly,-federal-money-passed-through-to-the-local-units-under-the federal-Public-Law-94-142-legislation-and-used-to-fund-prescheel elassrooms-fer-handicapped-students-may-be-considered-local-funds in-computing-the-units-educational-costs-under-chapter-606,

 board responsible for operating the preschool service shall assume the financial responsibility for the program. It shall receive the state subsidy for the program and may charge tuition for costs which exceed expenditures made for those programs in the base year.

Governance and financial responsibility.

The school

5. Dedication of funds. Funds generated under the school subsidy formula through expenditures for programs for infants and children, ages 0 through 5, who are handicapped or at-risk for developmental delay shall be committed to continue to fund programs and services for the target population at the local level.

6. Coordination of services and resource development activities. School administrative units shall coordinate their program and service activities for infants and children, ages 0 through 5, who are handicapped or at-risk for developmental delay with their local site to avoid duplication, maximize the use of available funds and resources, and to ensure compliance with rules as promulgated by the Interdepartmental Coordinating Committee for Preschool Handicapped Children.

Sec. 12. 26 MRSA §962, sub-§7, as amended by PL 1981, c. 137, §1, is further amended to read as follows:

 7. Public employer. "Public employer" means any officer, board, commission, council, committee or other persons or body acting on behalf of any municipality or town or any subdivision thereof, or of any school, water, sewer or other district, or of the Maine Turnpike Authority, or of the Child Development Services System, or of any county or any subdivisions thereof.

Sec. 13. Report on implementation. The Interdepartmental Coordinating Committee for Preschool Handicapped Children and representatives of the local coordinating committees shall report to the Joint Standing Committee on Education on the implementation of this Act. The report shall be in person and shall be made by February 15, 1990. The committee may introduce legislation to the Second Regular Session of the 114th Legislature to address problems encountered during implementation.

	COMMITTEE AMENDMENT "H" to S.P. 509, L.D. 1397
1	FISCAL NOTE
3 .	PISCAL NOTE
5	The Department of Educational and Cultural Services will incur some minor additional costs which can be absorbed within existing budgeted resources.'
7	STATEMENT OF FACT
9	
11	This amendment corrects the title and replaces the original bill. It retains the original intent to update current state law
13	to reflect current organizational structures and practices and to make state law consistent with the requirements of federal law with respect to the interdependent of the condition of the condi
15	with respect to the interdepartmental coordination system of providing services for infants and children, ages 0 through 5, who are handicapped or at risk of developmental delay.
17	This amendment:
19	
21	 Utilizes state-of-the-art terminology when describing the target population for this program;
23	2. Ensures the continuation and enhancement of the governing and management structure of the interdepartmental
25	coordination system at both the state and local levels and clarifies the employment structure of the system;
27	3. Clarifies and defines the primary responsibility for
29	local program development, operations and management within the local coordinating committees for each of the coordination sites;
31	and confirms the Interdepartmental Coordinating Committee for Preschool Handicapped Children's role as an intermediate
33	educational unit responsible for the overall implementation of United States Public Law 99-457 in the State; and
35	4. Reflects the influence of Public Law 99-457 in the
37	delineation of duties and obligations for the State of Maine under the interdepartmental system.
39	The Child Development Services System, as established in
41	this amendment, serves as the umbrella system for the administration of funds from both State Government and Federal
43	Government. The governing body of the Child Development Services System, the Interdepartmental Coordinating Committee for
45	Preschool Handicapped Children, consists of state officials and local representatives from the public and private sectors. This
47	membership structure is replicated at the local level for each of the 16 coordination sites, and reflects local service providers,
49	consumers and state agency representation throughout each of the local coordinating committees. Employees of the 16 local sites
51	are employees of the system, which is established as an



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independent corporation. Further refinements are contained in the area of financial management, maintaining local control and direction over all funds under the system while ensuring that appropriate and accurate financial records are established and maintained for the system with the least interruption or disruption to the local coordinating committees.

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This amendment reflects the current status of the system, and ensures that the successful elements of local control and governance are maintained. The intent of these amendments is to maintain the elements and degree of local control for site governance, management and program implementation; the preservation of the participatory form of overall system management between the state and local levels; and the maintenance of the active involvement at all levels of the system by the various state agencies, public and private agencies, consumer and private practitioners.

Reported by Senator Bost for the Committee on Education. Reproduced and Distributed Pursuant to Senate Rule 12. (6/15/89) (Filing No. S-299)