



## 116th MAINE LEGISLATURE

## **FIRST REGULAR SESSION-1993**

Legislative Document

No. 1398

H.P. 1046

House of Representatives, May 3, 1993

An Act to Provide for Direct Reimbursement of Special Education Costs.

Reference to the Committee on Education suggested and ordered printed.

**VJOSEPH W. MAYO, Clerk** 

Presented by Representative COLES of Harpswell.

Cosponsored by Representatives: KILKELLY of Wiscasset, MITCHELL of Vassalboro, NORTON of Winthrop, OLIVER of Portland, PFEIFFER of Brunswick, SIMONDS of Cape Elizabeth.

Be it enacted by the People of the State of Maine as follows: 2 Sec. 1. 20-A MRSA §15603, sub-§2, ¶A, as amended by PL 1985, c. 797, §56, is further amended to read: 4 A. Program costs for special-education-costs -in-subsection 6 227 vocational education costs subsection in 30, 8 transportation operating costs in subsection bus 29, purchase costs in subsection 7 and early childhood costs in 10 subsection 10; Sec. 2. 20-A MRSA §15603, sub-§4, ¶A, as enacted by PL 1983, 12 c. 859, Pt. G, §§2 and 4, is repealed. 14 Sec. 3. 20-A MRSA §15604, sub-§1, ¶¶B and C, as enacted by PL 1983, c. 859, Pt. G, §§2 and 4, are repealed. 16 Sec. 4. 20-A MRSA §15605, sub-§2, ¶C, as enacted by PL 1983, 18 c. 859, Pt. G, §§2 and 4, is amended to read: 20 The requested funding levels for program costs under C. 22 section--15604/--subsection--17--paragraph--B;--section--15604/ subsection  $-1_7$  - paragraph  $-C_7$  - subparagraph  $-(1)_7$  section 15604, subsection 1, paragraphs D, E and J, shall must be the 24 actual local program costs for the base year adjusted to the equivalent of the year prior to the year of allocation; and 26 under section 15604, subsection 1, paragraph F, for the year prior to the year of allocation. 28 Sec. 5. 20-A MRSA §15605, sub-§2, ¶E, as enacted by PL 1983, 30 c. 859, Pt. G, §§2 and 4, is repealed. 32 Sec. 6. 20-A MRSA §15607, sub-§12, as amended by PL 1989, c. 34 502, Pt. C,  $\S$  and 8, is repealed. Sec. 7. 20-A MRSA §15607, sub-§13 is enacted to read: 36 38 13. Appropriation for special education costs. Appropriate the necessary funds for reimbursement of special education costs 40 under section 15612-A. Sec. 8. 20-A MRSA §15608, sub-§2, ¶A, as enacted by PL 1983, 42 c. 859, Pt. G,  $\S$  and 4, is repealed. 44 Sec. 9. 20-A MRSA §15612, sub-§6, as amended by PL 1989, c. 554,  $\S1$ , is repealed. 46 Sec. 10. 20-A MRSA §15612, sub-§11, as repealed and replaced 48 by PL 1989, c. 878, Pt. D, §7, is repealed. 50

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Sec. 11. 20-A MRSA §15612, sub-§13, as enacted by PL 1989, c. 875, Pt. E, §32, is amended to read:

13. Adjustment limitations. The amounts of the adjustments paid to school administrative units or municipalities in subsections 1, 2, 4,  $\theta_{\tau}$  7, 10, 11 and 12 are limited to the amounts appropriated by the Legislature for these adjustments.

Sec. 12. 20-A MRSA §15612-A is enacted to read:

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## <u>§15612-A. Reimbursement for special education costs</u>

The commissioner shall pay to each school administrative 14 unit, in the year of allocation, an amount equal to the unit's special education costs as defined in section 15603, subsection 16 22, multiplied by the average statewide state share percentage for program costs in the year of allocation. Payments must be 18 made monthly, not more than 7 days after the department receives notification from the unit of its prior month's special education 20 costs.

Sec. 13. 20-A MRSA §15613, sub-§4, ¶B, as enacted by PL 1983, c. 859, Pt. G, §§2 and 4, is amended to read:

B. The total amount reimbursed under this subsection shall <u>may</u> not exceed the level of funds appropriated for this item under section 15607, subsection 12 <u>13</u>.

Sec. 14. 20-A MRSA \$15613, sub-\$6, as enacted by PL 1983, c. 859, Pt. G, \$2 and 4, is amended to read:

**6. Education of institutional residents.** The commissioner may pay tuition to school administrative units for institutional residents within the limits of the appropriation made under section 15607, subsection 12 <u>13</u>.

## STATEMENT OF FACT

This bill guarantees that each school administrative unit in the State will receive compensation for its current year special education costs on a monthly basis. Compensation for special education costs will equal the unit's most recent monthly special education expenditure, multiplied by the average statewide state share percentage of program costs in the current year.