

MAINE STATE LEGISLATURE

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EDUCATION

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1431, L.D. 1956, Bill, "An Act to Revise the Laws of Maine to Incorporate the Office of Rehabilitation Services within the Department of Education"

Amend the bill in Part A by striking out all of section 2 and inserting in its place the following:

Sec. A-2. 22 MRSA §3051, as enacted by PL 1969, c. 457, §1, is repealed.

Sec. A-3. 22 MRSA §§3052 to 3054, as amended by PL 1975, c. 293, §4, are repealed.

Sec. A-4. 22 MRSA §3055, as amended by PL 1985, c. 768, §§2 and 3, is repealed.

Sec. A-5. 22 MRSA §3056, as amended by PL 1981, c. 470, Pt. A, §96, is repealed.

Sec. A-6. 22 MRSA §3057, as enacted by PL 1969, c. 457, §1, is repealed.

Sec. A-7. 22 MRSA §3058, as amended by PL 1975, c. 771, §221, is repealed.

Sec. A-8. 22 MRSA §3060, as enacted by PL 1969, c. 457, §1, is repealed.

Sec. A-9. 22 MRSA §3061, as amended by PL 1977, c. 694, §367, is repealed.

COMMITTEE AMENDMENT

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2 **Sec. A-10. 22 MRSA §§3062 to 3066**, as enacted by PL 1969, c.
457, §1, are repealed.

4 **Sec. A-11. 22 MRSA §3067**, as amended by PL 1979, c. 553, §1,
6 is repealed.

8 **Sec. A-12. 34-B MRSA §5609, sub-§1**, as amended by PL 1993, c.
410, Pt. CCC, §43, is further amended by amending the first
10 paragraph to read:

12 **1. Habilitation services.** The Department of Mental Health
and Mental Retardation, through the Division of Mental
14 Retardation, and the Department of Human--Services Education,
through the Bureau Office of Rehabilitation Services, shall
16 provide, to the extent of the resources available, for those
habilitation and vocational rehabilitation services, defined in
18 Title 22 20-A, section 3054 18002, subsection 8 6, and any other
service, including, but not limited to, supported employment
20 including work in rehabilitation facilities and work centers, as
defined in Title 5, chapter 155, subchapter II; job coaching;
22 transportation, recreational and leisure services; and respite or
day programs designed in consultation with an interdisciplinary
24 team in order to make available to persons receiving services
those services that are otherwise not obtainable, in the
26 following order of priority:

28 Further amend the bill in Part B in section 1 in that part
designated "§18023." in subsection 7 in the 3rd line (page 11,
30 line 27 in L.D.) by striking out the following: "human
resources" and inserting in its place the following: 'education'

32 Further amend the bill in Part C in section 1 in that part
designated "§18032." in the last line (page 13, line 19 in L.D.)
34 by inserting after the following: "procedures." the following:
36 'The department shall submit an annual accounting of the program
to the joint standing committee of the Legislature having
38 jurisdiction over education matters.'

40 Further amend the bill in Part E by inserting before section
1 the following:

42 **'Sec. E-1. 5 MRSA §12004-I, sub-§11-A** is enacted to read:

44				
46	<u>11-A.</u>	<u>Advisory</u>	<u>As Autho-</u>	<u>20-A MRSA</u>
46	<u>Education:</u>	<u>Committee</u>	<u>rized by</u>	<u>§18052</u>
48	<u>Office of</u>	<u>on Improving</u>	<u>Committee</u>	
48	<u>Rehabilita-</u>	<u>Outdoor</u>		
50	<u>tion Servi-</u>	<u>Recreational</u>		
	<u>ces</u>	<u>Opportunities</u>		

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2. for Persons
3. with Disa-
4. bilities,
5. commonly known
6. as Maine Outdoor
7. Recreation for
8. Everyone,
9. M.O.R.E.

10. **Sec. E-2. 5 MRSA §12004-I, sub-§40-A,** as enacted by PL 1991,
11. c. 370, §1, is repealed.'

12. Further amend the bill in Part E in section 1 in that part
13. designated "§18052." in the first paragraph in the 3rd line (page
14. 16, line 22 in L.D.) by striking out the following: "40-A" and
15. inserting in its place the following: '11-A'

16. Further amend the bill in Part F by striking out all of
17. section 2 and inserting in its place the following:

18. **'Sec. F-2. 22 MRSA §3105,** as amended by PL 1989, c. 700, Pt.
19. A, §78, is repealed.'

20. Further amend the bill in Part J by striking out all of
21. section 2 and inserting in its place the following:

22. **'Sec. J-2. 5 MRSA §937, sub-§1,** as amended by PL 1991, c. 716,
23. §2, is further amended to read:

24. **1. Major policy-influencing positions.** The following
25. positions are major policy-influencing positions within the
26. Department of Education. Notwithstanding any other provision of
27. law, these positions and their successor positions shall be are
28. subject to this chapter:

- 29. A. Assistant to the Commissioner;
- 30. B. Deputy Commissioner;
- 31. C. ~~Associate Commissioner, Bureau of School Management;~~
- 32. D. ~~Associate Commissioner, Bureau of Instruction;~~
- 33. E. ~~Associate Commissioner, Bureau of Applied Technology and Adult Learning;~~
- 34. F. Director, Planning and Management Information;
- 35. G. Federal and State Education Program Coordinator; and

COMMITTEE AMENDMENT

2 H. Executive Director, Interdepartmental Council, with the
approval of the other commissioners of the Interdepartmental
Council; and

4 I. Director, Office of Rehabilitation Services.

6 Further amend the bill in Part J by striking out all of
8 sections 8 and 9.

10 Further amend the bill in Part J by striking out all of
section 11 and inserting in its place the following:

12 'Sec. J-11. 29 MRSA §252-F, as enacted by PL 1987, c. 228, is
14 amended to read:

16 **§252-F. Deaf and hard-of-hearing persons; special designating
18 placards**

20 The Secretary of State, on application, shall issue a
hearing-impaired deaf and hard-of-hearing placard to any person
22 who is ~~hearing--impaired~~ deaf or hard-of-hearing when that
application is accompanied by a form, available from the Division
24 of Deafness, Bureau Office of Rehabilitation Services, certified
by a physician or an audiologist stating that the applicant is
26 ~~hearing-impaired deaf or hard-of-hearing~~ and cannot can not hear
or understand normal speech. The placard shall must be displayed
28 in a conspicuous location in the vehicle as near to the operator
as possible without obstructing the view of the operator. The
30 fee for the placard shall ~~be~~ is \$1.'

32 Further amend the bill in Part J in section 13 by striking
out all of the first 2 lines (page 35, lines 22 and 23 in L.D.)
and inserting in their place the following:

34 'Sec. J-13. 35-A MRSA §7505, sub-§§1 and 5, as enacted by PL
36 1987, c. 503, §1, are amended to read:'

38 Further amend the bill in Part J in section 13 in subsection
1 in the 4th line (page 35, line 28 in L.D.) by inserting after
40 the following: "hearing" the following: 'deaf,'

42 Further amend the bill in Part J by inserting after section
14 the following:

44 'Sec. 15. 36 MRSA §654, sub-§1, ¶E, as repealed and replaced
46 by PL 1987, c. 772, §14, is amended to read:

48 E. The residential real estate up to the just value of
\$4,000 of inhabitants of Maine who are legally blind as

determined by the Department of ~~Human-Services~~ Education, Division for the Blind and Visually Impaired; and

Further amend the bill by renumbering the sections to read consecutively.

Further amend the bill by inserting at the end before the statement of fact the following:

FISCAL NOTE

The required adjustments to appropriations and allocations to completely incorporate the Office of Rehabilitation Services within the Department of Education are included in the Governor's supplemental budget.'

STATEMENT OF FACT

This amendment corrects a number of technical mistakes made in repealing, amending and reenacting language in the Maine Revised Statutes necessary to incorporate the Office of Rehabilitation Services within the Department of Education.