

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

DATE: 5-3-99

(Filing No. H- 373)

EDUCATION AND CULTURAL AFFAIRS

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 860, L.D. 1217, Bill, "An Act to Make Courses that Teach English as a 2nd Language Reimbursable by the State"

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

'Sec. 1. 20-A MRSA §15603, sub-§28-A is enacted to read:

28-A. Costs of transitional instruction program using bilingual techniques. "Costs of transitional instruction program using bilingual techniques" means the costs of certified instruction programs that teach English as a 2nd language as part of plans approved by the commissioner and implemented under section 4701, subsection 2. These costs are limited to expenditures for supplemental instructional support for students of limited proficiency in English and may not include federal grant funds used for student instruction in English as a 2nd language or bilingual education. For subsidy purposes, these costs include:

A. The salary and benefit costs of certified teachers with an endorsement in English as a 2nd language or bilingual education contracted to provide services as part of an approved transitional instruction program using bilingual techniques; and

B. The salary and benefit costs of education technicians who are under the supervision of a certified teacher with an

COMMITTEE AMENDMENT

endorsement in English as a 2nd language or bilingual education contracted to provide services as part of an approved transitional instruction program using bilingual techniques.

Sec. 2. 20-A MRSA §15607, sub-§11, as amended by PL 1987, c. 850, §§2 and 5, is further amended to read:

11. **Appropriation for nonpublic school services.** Appropriate the necessary funds for reimbursement for nonpublic school services under section 15613, subsection 4; and

Sec. 3. 20-A MRSA §15607, sub-§12, as amended by PL 1989, c. 502, Pt. C, §§7 and 8, is further amended to read:

12. **Appropriation for special education tuition and costs for out-of-district placements.** Appropriate the necessary funds for special education tuition under section 15612, subsection 11-; and

Sec. 4. 20-A MRSA §15607, sub-§13 is enacted to read:

13. Appropriation for costs of certified instruction programs that teach English as a 2nd language as part of transitional instruction program using bilingual techniques. Appropriate the necessary funds for costs of certified instruction programs that teach English as a 2nd language as part of a transitional instruction program using bilingual techniques under section 15612, subsection 12-A.

Sec. 5. 20-A MRSA §15612, sub-§12-A is enacted to read:

12-A. Adjustment for costs of certified instruction programs that teach English as a 2nd language instruction as part of transitional instruction program using bilingual techniques; adjustment limitation. A school administrative unit that places a student in an approved transitional instruction program using English as a 2nd language or bilingual techniques established consistent with section 4701, subsection 2 must receive an adjustment equal to the amount of the supplemental costs of certified instruction programs that teach English as a 2nd language for an approved transitional instruction program using bilingual techniques in the year of allocation. State payments to school administrative units pursuant to this subsection must be made during the year of allocation. The funds for the adjustment are 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. If additional

appropriations are not provided for this adjustment, the department may not redistribute existing appropriations for general purpose aid to local schools.

Sec. 6. 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, 6, 7, 10, 11 and 12 and 12-A are limited to the amounts appropriated by the Legislature for these adjustments.

Sec. 7. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1999-00	2000-01
EDUCATION, DEPARTMENT OF		
General Purpose Aid for Local Schools		

All Other	\$2,560,000	\$2,560,000
-----------	-------------	-------------

Provides funds to fully fund the adjustment for the costs of certified English as a 2nd language instruction.'

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

	1999-00	2000-01
APPROPRIATIONS/ALLOCATIONS		

General Fund	\$2,560,000	\$2,560,000
--------------	-------------	-------------

This bill includes General Fund appropriations of \$2,560,000 in each of fiscal years 1999-00 and 2000-01 for the Department of Education, General Purpose Aid for Local Schools program, to fully fund the adjustment for the costs of certified English as a 2nd language instruction.'

2

SUMMARY

4 This amendment replaces the bill. Under this amendment, a
6 school administrative unit that places a student in an approved
8 transitional instruction program using English as a 2nd language
10 or bilingual techniques under the Maine Revised Statutes, Title
12 20-A, section 4701, subsection 2 must receive an adjustment in
14 its state subsidy equal to the amount of supplemental costs for
16 certified instruction programs that teach English as a 2nd
18 language instruction in the approved program. The adjustment to
state subsidy is limited to the salary and benefit costs of
certified teachers with an endorsement in English as a 2nd
language or bilingual education, as well as the salary and
benefit costs of education technicians providing services through
a transitional instruction program using English as a 2nd
language or bilingual techniques that has been approved by the
Commissioner of Education.

20 The amendment further requires that this adjustment is
22 limited to the amount of funds appropriated to general purpose
24 aid to local schools for this purpose. The amendment also
26 permits the Department of Education to prorate payments to school
28 units if insufficient funds are appropriated for this adjustment,
but prohibits the department from redistributing existing
appropriations for general purpose aid to local schools if
insufficient funds are appropriated for this purpose.