

MAINE STATE LEGISLATURE

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L.D. 2026

DATE: 5-5-99

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MAJORITY
EDUCATION AND CULTURAL AFFAIRS

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

COMMITTEE AMENDMENT "A" to H.P. 1419, L.D. 2026, Bill, "An Act to Make Certain Provisions for Exceptional Students Consistent with Federal Laws and Regulations"

Amend the bill in Part A in section 2 in paragraph C by striking out all of subparagraph (6) and inserting in its place the following:

'(6) Behavior;--or Serious emotional disturbance, referred to in this chapter and chapter 303 as "emotional disturbance;" '

Further amend the bill in Part A in section 2 in paragraph C by striking out all of subparagraphs (11) to (13) and inserting in their place the following:

'(11) Deafness and blindness; or

(12) Multiple disabilities.'

Further amend the bill in Part A in section 4 in paragraph C by striking out all of subparagraphs (11) to (13) and inserting in their place the following:

'(11) Deafness and blindness; or

(12) Multiple disabilities.'

Further amend the bill in Part A by striking out all of section 5.

COMMITTEE AMENDMENT

R.S.

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2 Further amend the bill by inserting after Part B the following:

4 PART C

6 Sec. C-1. Study of developmental delay category. The Department of Education, with input from interested parties, shall study the appropriateness and likely impact of including developmental delay for children from 5 to 9 years of age and from birth to 5 years of age as a component in the definitions of "exceptional student" and "preschool handicapped child" in the Maine Revised Statutes, Title 20-A, section 7001. In performing the study, the department may draw on its experiences with the category of developmental delay as a disability characteristic for children from birth to 3 years of age and 3 years of age to under 6 years of age under Title 20-A, chapter 307-A. The department shall report its findings to the Joint Standing Committee on Education and Cultural Affairs not later than December 31, 1999.'

20 Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

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

28 FISCAL NOTE

30 The Department of Education will incur some minor additional costs to amend rules, to train individuals as complaint investigators and impartial mediators and to study the appropriateness and impact of including a developmental delay category under special education law. These costs can be absorbed within the department's existing budgeted resources.'

38 SUMMARY

40 This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. It replaces "emotional disturbance" with "serious emotional disturbance" as a category in the definitions of "exceptional student" and "preschool handicapped child" in the bill and strikes "developmental delay" as a category in both definitions. The amendment strikes the section of the bill limiting special educational services to incarcerated persons 18 to 20 years of age who were not identified as needing

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2 and actively receiving those services prior to incarceration in
an adult correctional facility. The amendment also directs the
4 Department of Education to study the appropriateness and impact
of including "developmental delay" as a category of disability
6 under special education law and to report to the Joint Standing
Committee on Education and Cultural Affairs by December 31, 1999.

COMMITTEE AMENDMENT