

Date: (Filing No. H-)

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 572, L.D. 765, Bill, “An Act To Address the Documented Educational and Rehabilitation Needs of Persons Who Are Blind or Visually Impaired”

Amend the bill by striking out everything after the title and before the summary and inserting the following:

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, legal requirements regarding the educational needs of children who are blind or visually impaired are not currently being met; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 26 MRSA §1418-D, sub-§2, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

2. Department of Education input; school administrative units. The division shall ensure that the Department of Education has input into any contract to provide educational services and delivery of those services to blind or visually impaired children from birth to 20 years of age. Educational services that are required by federal law to be provided to blind or visually impaired children from birth to 20 years of age must take precedence over services provided to blind or visually impaired adults. Nothing in this section relieves school administrative units from fulfilling their responsibilities under Title 20-A, Part 4, subpart 1.

Sec. 2. Department of Labor; lapsed balances. Notwithstanding any other provision of law, \$13,963 of unencumbered balance forward from the Department of

COMMITTEE AMENDMENT

1 Labor, Governor's Training Initiative Program, General Fund account, All Other line
 2 category lapses to the General Fund no later than June 30, 2012.

3 **Sec. 3. Appropriations and allocations.** The following appropriations and
 4 allocations are made.

5 **LABOR, DEPARTMENT OF**

6 **Blind and Visually Impaired - Division for the 0126**

7 Initiative: Allocates one-time funds transferred from the Department of Education to
 8 support the cost of 2 Certified Teacher of Visually Impaired contracted positions to
 9 provide direct services to children in the classroom in fiscal year 2011-12 only.

10	FEDERAL EXPENDITURES FUND	2011-12	2012-13
11	All Other	\$40,000	\$0
12			
13	FEDERAL EXPENDITURES FUND TOTAL	<u>\$40,000</u>	<u>\$0</u>

14 **Blind and Visually Impaired - Division for the 0126**

15 Initiative: Provides ongoing funds for 2 Certified Teacher of Visually Impaired
 16 contracted positions to provide direct services to children in the classroom beginning in
 17 fiscal year 2012-13.

18	GENERAL FUND	2011-12	2012-13
19	All Other	\$0	\$158,820
20			
21	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$158,820</u>

22 **Blind and Visually Impaired - Division for the 0126**

23 Initiative: Provides ongoing funds for one Orientation and Mobility Specialist position
 24 and related All Other effective May 1, 2012 to provide instruction in safe and
 25 independent travel to children and adults.

26	GENERAL FUND	2011-12	2012-13
27	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
28	Personal Services	\$10,630	\$66,312
29	All Other	\$3,333	\$5,000
30			
31	GENERAL FUND TOTAL	<u>\$13,963</u>	<u>\$71,312</u>

32 **Blind and Visually Impaired - Division for the 0126**

33 Initiative: Provides ongoing funds for one Blindness and Rehabilitation Specialist
 34 position and related All Other effective July 1, 2012 to provide case management services
 35 for children.

1	GENERAL FUND	2011-12	2012-13
2	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
3	Personal Services	\$0	\$63,783
4	All Other	\$0	\$7,500
5			
6	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$71,283</u>

7 **Blind and Visually Impaired - Division for the 0126**

8 Initiative: Provides ongoing funds for 2 Vision Rehabilitation Therapist contracted
 9 positions beginning in fiscal year 2012-13 to teach independent living and job readiness
 10 skills to certain transition-age students, working-age adults and seniors.

11	GENERAL FUND	2011-12	2012-13
12	All Other	\$0	\$136,848
13			
14	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$136,848</u>

15 **Blind and Visually Impaired - Division for the 0126**

16 Initiative: Provides funds for one half-time Orientation and Mobility Specialist position to
 17 work with children and adults in the classroom and in the community to provide
 18 instruction in safe and independent travel.

19	FEDERAL EXPENDITURES FUND	2011-12	2012-13
20	POSITIONS - LEGISLATIVE COUNT	0.500	0.500
21	Personal Services	\$6,065	\$37,657
22			
23	FEDERAL EXPENDITURES FUND TOTAL	<u>\$6,065</u>	<u>\$37,657</u>

24	LABOR, DEPARTMENT OF		
25	DEPARTMENT TOTALS	2011-12	2012-13
26			
27	GENERAL FUND	\$13,963	\$438,263
28	FEDERAL EXPENDITURES FUND	\$46,065	\$37,657
29			
30	DEPARTMENT TOTAL - ALL FUNDS	<u>\$60,028</u>	<u>\$475,920</u>

31 **Emergency clause.** In view of the emergency cited in the preamble, this
 32 legislation takes effect when approved.'

33 **SUMMARY**

34 This amendment replaces the bill and:

