

clarify the form and language therein; and to clarify the law as to compulsory school attendance in this regard. TO PROVIDE THAT SPECIAL EDUCATION SERVICES SHALL CONTINUE FOR CERTAIN CHILDREN UNDER CERTAIN CONDITIONS; TO PROVIDE FOR THE WITHDRAWAL OF CERTAIN CHILDREN FROM THE PROGRAM OF SPECIAL EDUCATION SERVICES UNDER CERTAIN CONDITIONS, AND GENERALLY RELATING THERETO.

May 31, 1972.

Honorable Thomas Hunter Lowe
Speaker of the House of Delegates
State House
Annapolis, Maryland 21404

Dear Mr. Speaker:

In accordance with Article II, Section 17, of the Maryland Constitution, I have today vetoed House Bill 26.

This bill requires the local school systems to provide special education services after July 1, 1973, for certain handicapped children between the ages of sixteen and twenty who were receiving such services during the school year ending June, 1972.

I have been advised that all of the subdivisions presently offer special education programs for children sixteen years old, that most continue such programs through age seventeen, ten offer the programs through age eighteen, five through age nineteen, and one through age twenty. Where these programs exist, they are funded by the State in the same manner as special education programs for the younger children; i.e., the actual cost up to \$1,000 per child. In light of the law as it presently exists, and the current offering of programs beyond age sixteen, I believe there is already ample authority for the subdivisions to extend their programs.

If the subdivisions are required to extend these services through age twenty, however, as provided in House Bill 26, I am advised that the cost to the State will be approximately \$3,000,000 to \$4,000,000 in fiscal year 1974, the first year of full fiscal impact. Presumably, the cost in ensuing years will be as great, or greater; and I do not believe that sufficient thought has been given to the source of the revenues needed to fund such a mandated program.

Aside from these budgetary considerations, I am concerned about the effect of the requirement in House Bill 26 that only children who received special education services during the 1971-72 school year would be eligible for the continued services. As a result of this condition, it is possible that children who were in need of special education services this year but who, because of a lack of trained teachers or other resources were not in fact receiving them, would be arbitrarily excluded from receiving such services after age sixteen. The effect of this would be to deny children in many counties the services now offered to them.

For these reasons, I have decided to veto House Bill 26.

Sincerely,

/s/ MARVIN MANDEL,
Governor.