

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE
AT THE

SECOND REGULAR SESSION

January 4, 1978 to April 6, 1978

FIRST SPECIAL SESSION

(No laws enacted)

September 6, 1978 to September 15, 1978

SECOND SPECIAL SESSION

October 18, 1978

THIRD SPECIAL SESSION

December 6, 1978

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

K. J. Printing
Augusta, Maine
1979

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND EIGHTH LEGISLATURE
January 4, 1978 to April 6, 1978

20 MRSA § 3754, as last amended by PL 1977, c. 264, §§ 2 and 3, is repealed and the following enacted in its place:

§ 3754. School budget adoption; extension

Notwithstanding any provision of statute or charter to the contrary, municipalities, School Administrative Districts and community school districts may adopt their respective annual budgets at any time prior to June 30, 1978, except that the school budgets for vocational regions shall be adopted on or before July 31, 1978. Municipal officers and school directors or trustees may not certify to the assessors any amount to be raised by taxation until such time as a final budget has been approved that includes the total educational cost estimates for the current or ensuing fiscal year. Expenditures may be made by municipalities or school districts after the commencement of, and prior to adoption of a final budget for, the current or ensuing fiscal years 1978 and 1979 based on interim or partial budgets adopted by the municipal officers, boards of directors of School Administrative Districts, or boards of trustees of community school districts. A final budget approved by a municipality or school district prior to the effective date of this section, may be reconsidered and any warrants issued to assessors pursuant to the adopted budgets may be revoked. If a municipal charter provides that a budget proposed by a municipal official or body becomes effective when the municipal legislative body fails to adopt a budget by a specified date or within a specified period of time and that date falls prior to July 1st, that date shall be governed by the provisions of this section for the calendar year 1978.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective March 9, 1978

CHAPTER 637

AN ACT Authorizing Municipalities to Provide Textbooks and Other Secular Services to Elementary and Secondary Pupils Attending Private Schools.

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

Sec. 1. 30 MRSA § 5104, sub-§§ 6, 7 and 8 are enacted to read:

6. Textbooks. Providing for the purchase of those secular textbooks which have been approved by the school committee or board of directors for use in public schools in the municipality or district and to loan those textbooks to pupils

or to the parents of pupils attending nonpublic elementary and secondary schools. The loans shall be based upon individual requests submitted by the nonpublic school pupils or parents. The requests shall be submitted to the school committee or board of directors of the administrative district in which the student resides. The request for the loan of textbooks shall, for administrative convenience, be submitted by the nonpublic school student or parent to the nonpublic school which shall prepare and submit collective summaries of the individual requests to the school committee or board of directors. As used in this section, "textbook" means any book or book substitute which a pupil uses as a text or text substitute in a particular class or program in the school he regularly attends;

7. Physician, nursing, dental and optometric services. Providing physician, nursing, dental and optometric services to pupils attending nonpublic elementary and secondary schools within a district or municipality. These services may be provided in the school attended by the nonpublic school pupil receiving the services; and

8. Tests and scoring services. Providing for the use by pupils attending nonpublic elementary and secondary schools within the municipality or a district the standardized tests and scoring services which are in use in the public schools serving that municipality or district.

Sec. 2. 30 MRSA § 5104, as last amended by PL 1973, c. 777, §§ 1 and 2, is further amended by adding at the end the following new paragraphs:

No municipality shall provide health or remedial services to nonpublic school pupils as authorized by this section, unless those services are available to pupils attending the public school serving the municipality.

Health and remedial services and instructional materials and equipment provided for the benefit of nonpublic school pupils pursuant to this section, and the admission of pupils to the nonpublic schools shall be provided without distinction as to race, creed, color, the national origin of the pupils or of their teachers. No instructional materials or instructional equipment shall be loaned to pupils in nonpublic schools or their parents unless similar instructional material or instructional equipment is available for pupils in a public school served by a municipality.

No municipality shall provide services, materials or equipment for use in religious courses, devotional exercises, religious training or any other religious activity.