

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

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Legislative Document

No. 1416

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H. P. 974

House of Representatives, March 8, 1967

Referred to Committee on Education. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Carroll of Limerick.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-SEVEN

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**AN ACT Relating to Privately Owned Business, Trade and Technical Schools.**

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

**R. S., T. 20, c. 320, additional.** Title 20 of the Revised Statutes is amended by adding a new chapter 320, to read as follows:

**CHAPTER 320**

**PRIVATELY OWNED BUSINESS, TRADE AND TECHNICAL SCHOOLS**

§ 266I. License

No person or group of persons shall operate or maintain a private business, trade, vocational or technical school in Maine, except an institution authorized by law to grant a degree, or a school subject to the regulations of the State Board of Barbers or the State Board of Hairdressers, unless said person or group of persons is licensed to do so by the Commissioner of Education. The commissioner shall not issue a license to operate or maintain such a school unless and until he shall have approved as to such school the program of study, the methods of instruction to be followed, the equipment and housing provided, the training and experience of teachers to be employed, the form and contents of the student enrollment agreement or contract and the method of collecting tuition.

Every such license shall run for 2 years from date of issuance and the fee therefor and for each renewal thereof shall be \$5. An application for renewal shall be made not later than 30 days prior to the expiration date of the existing license. The commissioner may, after reasonable notice, suspend or revoke such license.

**§ 2662. Rules and regulations**

The State Board of Education is authorized to adopt and from time to time alter or amend such rules and regulations in conformity with this section as it deems necessary for the administration of this chapter. The board may establish a committee of professional and lay persons to advise the board relative to the administration of this chapter.

**§ 2663. Permits to solicit**

No person representing a privately owned business, vocational or technical school located outside the State of Maine shall solicit or sell in Maine any course for resident training in such business, vocational or technical school unless he first secures a permit from the State Board of Education in the same manner and on the terms provided in sections 2651 to 2656 pertaining to privately owned correspondence schools.

**§ 2664. Penalty**

Whoever operates or maintains a private business, trade or technical school in violation of this chapter, or represents himself as operating and maintaining such school, shall be guilty of a misdemeanor and shall, upon conviction, be punished by a fine of not less than \$25 nor more than \$500.

**STATEMENT OF FACTS**

At the present time, any person or group of persons may establish or conduct in Maine a privately owned business, trade or technical school. Unless such a school requests authority to offer a degree or unless it is subject to the regulations of the State Board of Barbers or the State Board of Hairdressers, there are no laws or regulations to assure prospective students that any course offered is of acceptable quality or that charges for tuition or other purposes are reasonable. There is nothing to prevent the exploitation of young people who need good education and cannot afford to pay for anything less.

A majority of states have found it necessary or desirable to enact legislation regulating the establishment and operation of private business, trade and technical schools and such legislation is needed in Maine.

Sections 2651 to 2656 of chapter 310 of Title 20 require the obtaining of a permit for any person representing a privately owned correspondence school and the same should apply to any representative selling courses in a privately owned business, vocational or technical school outside the State.