

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
106TH LEGISLATURE

SENATE AMENDMENT " B " to S.P. 417, L.D. 1378, Bill, "AN ACT to Correct Errors and Inconsistencies in the Education Laws."

Amend said Bill by inserting after section 33, a new section 33-A to read as follows:

'Sec. 33-A. R. S., T. 20, §1452-A, additional. Title 20 of the Revised Statutes is amended by adding a new section 1452-A to read as follows:

§ 1452-A. Children living on Indian reservations

All children who reside with parent or guardian on an Indian reservation shall be entitled to school privileges as described in sections 1453 and 1454, notwithstanding that these children do not reside in unorganized territory.

The Passamaquoddy Tribe of Indian Township, the Passamaquoddy Tribe of Pleasant Point and the Penobscot Tribe of Indian Island shall each be authorized to elect by popular election a school committee of not more than 5 tribal members to provide educational and cultural services for its residents. It shall be the responsibility of the school committee to approve all programs, expenditures of funds and procurement of personnel in accordance with the general laws applying to public schools. Should any reservation fail to elect a school committee, the Commissioner of Educational and Cultural Services shall provide for the education of students on that reservation

(Filing No. S-147)

in the same manner as is done for unorganized territory students.

The Indian school committees shall jointly, in a manner agreed upon by all of the committees, select a superintendent of schools, subject to the approval of the Commissioner of Educational and Cultural Services, whose duties shall be the same as public school superintendents under the general law.

The school committees shall determine the terms of employment for the superintendent, including compensation and length of contract, subject to the approval of the Commissioner of Educational and Cultural Services.

Each school committee may establish personnel regulations and a system for purchases and accounting in accordance with the general law as it applies to other administrative units.

All bills must be approved for payment by the school committee members and the superintendent of schools, and a copy of each payroll filed with the commissioner.

The biennial budget shall be drawn up by the superintendent and school committee and forwarded to the Commissioner of Educational and Cultural Services for his consideration and recommendation before being submitted to the Legislature. The execution of the budget must be carried out within the funds made available and in accordance with the laws governing fiscal responsibility.'

Further amend said Bill by inserting before section 34, a new section 33-B to read as follows:

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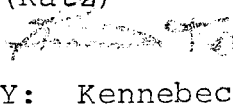
'Sec. 33-B. R. S., T. 22, §§ 4741 to 4743, repealed. Sections 4741, 4742 and 4743 of Title 22 of the Revised Statutes, as enacted by section 1 of chapter 333 of the public laws of 1973, are repealed.'

Further amend said Bill by inserting before section 34, a new section 33-C to read as follows:

'Sec. 33-C. Effective date. Sections 33-A and 33-B shall become effective 91 days after the adjournment of the Legislature.'

Statement of Fact

The purpose of this amendment is to clarify inconsistent laws relating to Indian education and to ensure continuing education of Indian children.

(Katz)
NAME: 
COUNTY: Kennebec

Reproduced and distributed pursuant to Senate Rule No. 11 A.
May 21, 1973. (Filing No. S-147).