

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
106TH LEGISLATURE

SENATE AMENDMENT "G" 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 3 the following:

'Sec. 3-A. R. S., T. 5, §1543, amended. Section 1543 of Title 5 of the Revised Statutes, as amended by section 1 of chapter 186 of the public laws of 1969, is further amended by adding at the end the following new paragraph:

Notwithstanding the foregoing paragraphs, the treasurer of the 3 Indian school committees is authorized to prepare and sign warrants for the payment of Indian school payrolls and bills.

Sec. 3-B. Effective date. Section 3-A of this Act shall not become effective until 91 days after adjournment of the Legislature.'

Further amend said Bill by inserting after section 33 the following:

'Sec. 33-A. R. S., T. 20, §1452, repealed. Section 1452 of Title 20 of the Revised Statutes, as amended by section 1 of chapter 450 of the public laws of 1965, is repealed.

Sec. 33-B. Effective date. Section 33-A of this Act shall not become effective until 91 days after adjournment of the Legislature.'

Further amend said Bill by inserting after section 53 the following:

'Sec. 53-A. R. S., T. 22, §4719, additional. Title 22 of the Revised Statutes is amended by adding a new section 4719 to read as follows:

(Filing No. S-241)

§4719. School committees

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 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 committees shall jointly select a treasurer.

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.

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

All bills, including payrolls, must be approved for payment by the school committee members and the superintendent of schools, before being paid by the treasurer. The State Controller shall forward monthly to the treasurer such sum as may be requested by him, the total not to be in excess of the sum appropriated. The accounts shall be audited by the State Auditor.

The biennial budgets shall be drawn up by the superintendent and school committees 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.

Sec. 53-A. Effective date. Section 53-A of this Act shall not become effective until 91 days after adjournment of the Legislature.'

Further amend said Bill by inserting after section 56 the following:

'Sec. 56-A. R. S., T. 22, 564774-A, 4839 and 4840, repealed. Section 4774-A, as enacted by section 1 of chapter 383 of the public laws of 1971, section 4839, as enacted by chapter 463 of the public laws of 1969 and section 4840, as enacted by section 1 of chapter 384 of the public laws of 1971, of Title 22 of the Revised Statutes, are repealed.'

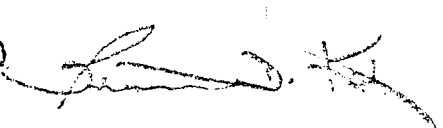
Sec. 56-B. Effective date. Section 56-A of this Act shall not become effective until 91 days after adjournment of the Legislature.'

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Statement of Fact

The purpose of this amendment is to clarify the law as it relates to school committees of the Indian tribes.

(Katz)
NAME:



COUNTY: Kennebec

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