

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## SECOND REGULAR SESSION-2026

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Legislative Document

No. 2109

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H.P. 1424

House of Representatives, January 7, 2026

**An Act to Define "Public Education" and Clarify That a Private  
School Receiving Approval for Public Tuition Must Be Located in  
the State**

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Submitted by the Department of Education pursuant to Joint Rule 203.  
Reference to the Committee on Education and Cultural Affairs suggested and ordered  
printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative BRENNAN of Portland.

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

**Sec. 1. 20-A MRSA §1, sub-§23-C is enacted to read:**

**23-C. Public education.** "Public education" means education that:

A. Is provided primarily at public expense;

B. Meets all state and federal requirements for education for enrolled students;

C. Is provided to students for free in every grade level from kindergarten to grade 12;  
and

D. Is provided in accordance with section 1001, subsection 8.

**Sec. 2. 20-A MRSA §2951, sub-§3**, as amended by PL 1985, c. 797, §25, is further amended to read:

**3. Incorporated; located within State.** Is incorporated under the laws of the State of ~~Maine or of the United States~~ and, notwithstanding any provision of law to the contrary, if the instructional facility and administrative offices are located within the State;

**Sec. 3. 20-A MRSA §15689-F, sub-§3**, as amended by PL 2013, c. 581, §11, is further amended to read:

**3. Casino revenues.** If the annual funding for public education instruction for children in public preschool programs and public education for children in kindergarten and grades one to 12 is supported by casino revenues credited to the department pursuant to Title 8, section 1036, the department shall journal expenditures from the General Purpose Aid for Local Schools, General Fund account to the K-12 Essential Programs and Services, Other Special Revenue Funds account to meet financial obligations and for purposes of cash flow.

## SUMMARY

This bill provides that a private school receiving approval for public funds for tuition purposes must be located within the State. The bill also defines the term "public education" and corrects a reference to the term.