

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

N I N E T I E T H L E G I S L A T U R E

Legislative Document

No. 806

H. P. 1353

House of Representatives, February 11, 1941.

Referred to Committee on Indian Affairs and 650 copies ordered printed.
Sent up for concurrence.

HARVEY R. PEASE, Clerk.

Presented by Mr. Sylvia of Danforth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-ONE

AN ACT Relating to the Penobscot and Passamaquoddy Tribes of Indians.

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

P. L., 1933, c. 1, § 265, amended. Section 265 of chapter 1 of the public laws of 1933, as amended, is hereby further amended to read as follows:

'Sec. 265. School moneys of tribe, how expended; schools, how regulated; free tuition in high school. All moneys appropriated for schools for the Penobscot tribe of Indians shall be expended under the supervision of the agent of said tribe, subject to the approval of the department of health and welfare; said agent and the superintendent of the Old Town schools shall jointly employ the teachers and fix their salaries, limited by such appropriation. Said teachers shall meet all minimum qualifications as required for certification in the public schools of the state. The schools upon island number one, commonly called Indian Old Town Island, shall be under the care and supervision of the superintendent of schools of the city of Old Town; and those within the territorial limits of any other town, under the care and supervision of the superintending school committee of such town. Said superintendent or school committee shall visit such schools at least 3 times during each school term; regulate the grades and courses of study; assist the teachers and scholars by counsel; and make reports to the agent and to the commissioner of education once each year, noting

therein such facts and information as may seem of importance in the interest of education among said tribe, or as may be required by the said department. The superintendent of schools of Old Town shall have such authority over the schools on Indian Island as superintendents in any town may have, except as limited by this section. Said superintendent shall be paid from the state appropriation for school superintendents a sum not exceeding \$100 per year for his services. The children of Indian Island may have the option of attending the Old Town schools whenever their parents may express a desire for them to so attend and the superintendent of schools shall transfer them to the building appropriate and suitable for their grades. The said children of said island shall be subject to all compulsory attendance laws, as per sections 74 to 82, inclusive, of chapter 19 except that the superintendent of the Old Town schools and the agent of the Penobscot tribe of Indians, shall jointly have full authority to enforce the full provisions of said attendance laws, and for purposes of such enforcement the attendance officer for the city of Old Town shall act as attendance officer for Indian Island. All laws relating to the public schools shall be applicable to the schools on Indian Island, and the superintendent of the Old Town schools and the agent of the Penobscot Tribe of Indians shall be jointly responsible for the enforcement of the provisions of said laws. Whenever it shall be shown that any of the children of the Penobscot tribe of Indians **living on the reservation** shall have completed the course of study for elementary schools as prescribed or shall have passed the examination prepared by the commissioner of education for entrance into high school, such children shall be granted entrance to any high school in this state, to which said children may apply under the same conditions as pupils residing in towns that do not maintain a free high school, as provided in section 93 of chapter 19, except that such tuition for such pupils shall be paid by the department of health and welfare, from Indian funds. Said tuition shall be based on the average instructional cost per pupil for the year preceding that for which the tuition is paid.