

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES  
AS PASSED BY THE  
Eighty-ninth and Ninetieth  
Legislatures

OF THE  
STATE OF MAINE

From April 21, 1939 to April 26, 1941  
AND MISCELLANEOUS STATE PAPERS

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1941

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

As Passed by the Ninetieth Legislature

**1941**

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## Chapter 273

AN ACT Relating to Representation of Indian Tribes at the Legislature.

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

Sec. 1. P. L., 1933, c. 1, § 282, amended. Section 282 of chapter 1 of the public laws of 1933 is hereby amended to read as follows:

'Sec. 282. Biennial election of tribe. Biennially on the even numbered years, on the 1st Tuesday of November, the Penobscot Indians shall hold their election for the choice of governor and lieutenant-governor of said tribe, and a representative ~~to~~ at the legislature of this state. The agent of said tribe shall give notice of the time and place, 7 days before said day of election, by posting notices thereof, 1 at his office and 1 in some conspicuous place on Old Town island. Said agent shall receive, sort, and count the votes given in at said election, in presence of the members of the tribe, and shall give to those elected certificates thereof.'

Sec. 2. P. L., 1933, c. 1, § 292, amended. Section 292 of chapter 1 of the public laws of 1933, as amended, is hereby further amended to read as follows:

'Sec. 292. Biennial election of Passamaquoddy tribe; procedure. Biennially on the even numbered years, on the 1st Tuesday of October, the Passamaquoddy tribe of Indians shall hold their election for the choice of governors and lieutenant-governors of said tribe, and a representative ~~to~~ at the legislature of this state. The agents of said tribe shall give notice of the time and place, 7 days before said day of election, by posting notices thereof, 1 at their respective offices and 1 in some conspicuous place on the reservations at Pleasant Point and Peter Dana's Point. Said agents shall receive, sort, and count the votes given in at said election, in the presence of members of the tribe, and those elected shall be given certificates therefor.'

Approved April 23, 1941

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## Chapter 274

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 regu-

lated; 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

**CHAP. 276**

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.'

Approved April 23, 1941

## Chapter 275

### AN ACT Relating to the Passamaquoddy Tribe of Indians.

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

P. L., 1933, c. 1, § 283, amended. Section 283 of chapter 1 of the public laws of 1933 is hereby amended to read as follows:

'Sec. 283. Forest commissioner may sell timber on Indian township; surveyor to be sworn. The forest commissioner ~~department~~ may sell to the best advantage, at public or private sale, to a citizen of the state, the timber and grass from township numbered 2 on the St. Croix river, ~~usually~~ called the Indian township, ~~to the amount of \$1,000 annually, and may in any year sell such larger amount as the governor, with the advice and consent of his council, shall approve;~~ expressly retaining in the written contract of sale a lien on the timber and grass cut, until the amount due for stumpage thereon is paid. Every surveyor appointed by said forest commissioner ~~department~~ to scale or survey the lumber so sold, before entering on his duties, shall be sworn to the faithful performance of his trust, and shall file a certificate of his oath with the agent. The net proceeds from such sales shall be set up in the state treasury as an improvement fund for the reservations of the Passamaquoddy tribe of Indians to be expended with the approval and under the direction of the department of health and welfare; provided, that in the event the balance in said improvement fund shall at any time exceed the sum of \$10,000 the excess over \$10,000 shall be added to the permanent trust funds of said tribe.'

Approved April 23, 1941

## Chapter 276

### AN ACT Providing State Services for the Blind.

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

Sec. 1. P. L., 1937, c. 210, additional. Chapter 210 of the public laws of 1937 is hereby amended by adding thereto a new section to be numbered 21 and to read as follows: