

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-fourth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with subsection VI of section 26 of chapter 9 of the Revised Statutes of 1944.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1949



PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-fourth Legislature

1949

additional boat, truck, automobile or other means of transportation to be used.

Such license may be procured by a non-resident of Maine upon payment of a fee of \$100, provided that an extra fee of \$25 shall be required for each additional boat, truck, automobile or other means of transportation to be used.

An applicant for an interstate shellfish transportation license must present a shellfish certificate issued by the commissioner of agriculture before such license shall be issued.

No person shall ship or transport beyond the limits of this state any clams, quahogs or mussels, except those procured from the persons named in said shellfish certificate.

The foregoing provisions shall not apply to a common carrier transporting clams, quahogs or mussels in accordance with the provisions of section 97, nor by any person who lawfully possesses the same for immediate consumption by himself and his family, nor shall it apply to clams, quahogs or mussels that are being transported through the state under the authority of the laws of the United States. The provisions of this section shall apply only to holders of non-resident shellfish transportation licenses, except that holders of resident shellfish transportation licenses may ship clams beyond the limits of the state for the "steamer trade" only.

Whoever violates any provision of this section shall be punished by a fine of not less than \$200 nor more than \$500, or by imprisonment for not more than 90 days, or by both such fine and imprisonment and in addition to such penalties the shellfish transportation license shall be revoked for a period of 1 year.

It is the intent of the legislature that the provisions of this section are enacted for the purpose of conservation of soft-shell clam resources.'

Effective August 6, 1949

Chapter 443

AN ACT Relating to Secondary School Tuition.

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

Sec. 1. R. S., c. 37, § 98, amended. The 1st sentence of the 2nd paragraph of section 98 of chapter 37 of the revised statutes, as amended by chapter 270 of the public laws of 1945 and by section 1 of chapter 400 of the public laws of 1947, is hereby repealed and the following enacted in place thereof:

'In the case of any youth attending school under conditions as provided for in the preceding paragraph, in schools in which the enrollment of tuition students is 10% or more of the total enrollment or attending any community district high school, the annual tuition shall not exceed 100% of the average of costs per pupil in all secondary schools of the state for the preceding year; except that, in a secondary school in which the enrollment of tuition pupils is less than 10% of the total enrollment or in which at least 3 courses of study, 2 of which are industrial or occupational, are not offered, the tuition shall not exceed 90% of the average of costs per pupil in all secondary schools of the state for the preceding year.'

Sec. 2. R. S., c. 37, § 99, amended. The 2nd and 3rd sentences of the 1st paragraph of section 99 of chapter 37 of the revised statutes, as repealed and replaced by section 36 of chapter 378 of the public laws of 1945; and amended by section 2 of chapter 400 and by chapter 401, both of the public laws of 1947, are hereby repealed and replaced and the following enacted in place thereof:

'Upon approval of said return, the commissioner shall apportion to such town a sum equal to $\frac{2}{3}$ the amount thus paid by such town provided the apportionment to any one town for any one year does not exceed \$1,000. Provided further, that tuition for each pupil may be paid by towns to an amount not exceeding the receiving school's average cost per pupil for the year preceding that for which the tuition is paid; except that payments in excess of said average cost may be made by vote of the sending town, but such payment by a town for any pupil for any one year shall be subject to the provisions of section 98.'

Effective August 6, 1949