

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE

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Sec. 277. R. S., c. 179, § 8, repealed. Section 8 of chapter 179 of the Revised Statutes, as amended by section 614 of chapter 317 and by section 185 of chapter 417, both of the public laws of 1961, is repealed.

Sec. 277-A. Rent of municipal courtrooms. All rents heretofore provided by statute for use of municipal courtrooms, payable by the counties to municipalities, shall be repealed whenever a District Court is established for the district where the rented courtroom is located.

Sec. 278. P. L., 1961, c. 386, § 4, amended. Section 4 of chapter 386 of the public laws of 1961 is amended to read as follows:

‘Sec. 4. Appropriation. Upon the establishment of the District Court Fund created by the Revised Statutes, chapter 108-A, section 13, enacted by section 1 of this act, there is appropriated to such District Court Fund, from the Unappropriated Surplus of the General Fund, the sum of \$50,000 to carry out the purposes of this act. On June 30, ~~1964~~ 1974 there shall be returned to the General Fund the sum of \$50,000.’

Sec. 279. Fees and costs. All fees and costs payable in and to municipal courts and trial justice courts prior to September 16, 1961 shall thereafter be payable in and to the District Court in those cases initiated in a District Court after such date.

Sec. 280. Application. This act shall not apply to any municipal or trial justice court or to any judge, associate judge or recorder of any municipal court or to any trial justice. It shall apply only to the District Court when established in a district. It is the intent of the Legislature that the laws in effect prior to the effective date of this act shall apply to all municipal and trial justice courts. It is also the intent of the Legislature that any new laws enacted by the 101st Legislature which contain the words “District Court” shall apply to municipal and trial justice courts so long as they are in existence.

Effective September 21, 1963

Chapter 403

AN ACT to Correct Errors and Inconsistencies in the Education Laws.

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

Sec. 1. R. S., c. 41, § 11, sub-§ XV, additional. Section 11 of chapter 41 of the Revised Statutes, as amended, is further amended by adding a new subsection XV, to read as follows:

‘XV. Educational television programs. To produce or contract for educational television programs.’

Sec. 2. R. S., c. 41, § 40, repealed. Section 40 of chapter 41 of the Revised Statutes, as amended, is repealed as follows:

'Sec. 40. Schools under direction of committee or school directors; rules and regulations. The schools referred to in section 37 shall be under the control, direction and supervision of the superintending school committee or school directors and shall admit such persons between the ages of 6 and 21 years and shall give such courses of instruction as said committee or school directors may determine. Pupils in such schools shall be subject to the same conditions, rules and regulations as are provided for public schools.'

Sec. 3. R. S., c. 41, § 37, amended. Section 37 of chapter 41 of the Revised Statutes, as amended, is further amended to read as follows:

'Sec. 37. Money raised for evening schools, day schools, classes and educational activities for adults. Any administrative unit may, in addition to the sum raised for the support of the public schools, raise and appropriate money for the support of evening schools, day schools, classes and educational activities, which shall admit persons over 16 years of age, who are not in attendance at another public school, and shall be under the direction and supervision of the superintending school committee or school directors and shall give such courses of instruction as said committee or school directors may determine. Pupils in such schools shall be subject to the same conditions, rules and regulations as are provided for public schools.'

Sec. 4. R. S., c. 41, § 54, sub-§ IV, amended. Subsection IV of section 54 of chapter 41 of the Revised Statutes is amended to read as follows:

'IV. Teachers dismissed. After ~~due notice and~~ investigation, due notice of hearing, and hearing thereon, they shall dismiss any teacher, although having the requisite certificate, who proves unfit to teach or whose services they deem unprofitable to the school; and give to said teacher a certificate of dismissal and of the reasons therefor, a copy of which they shall retain ~~and such~~. Such dismissal shall not deprive the teacher of compensation for previous services.'

Sec. 5. R. S., c. 41, § 82, amended. Section 82 of chapter 41 of the Revised Statutes is amended to read as follows:

'Sec. 82. Remote towns; agent. Whenever the commissioner shall find on investigation that any ~~town or plantation~~ administrative unit is so situated that it is not practicable to ~~form a union~~ combine with other units for the purpose of employing a superintendent of schools in accordance with the provisions of sections 77 to 81 and sections 85 to 88, he may place at the service of the committee or school directors of such ~~town or plantation~~ administrative unit the general agent for the schooling of the children in unorganized townships, or any other agent of the commissioner, who shall, when so assigned, serve as the superintendent of schools of said ~~town or plantation~~ administrative unit. When the said agent shall so serve he shall have the same powers and shall perform the same service as superintendent of schools of towns; ~~provided, however, that his~~. His visits to the schools of said ~~town or plantation~~ administrative unit shall be at such intervals as may be directed by the commissioner.'

Sec. 6. R. S., c. 41, § 83, amended. Section 83 of chapter 41 of the Revised Statutes is amended to read as follows:

Sec. 83. Reimbursements. Whenever the schools of any ~~town or plantation~~ administrative unit shall be placed under the supervision of agents of the commissioner, as provided by ~~the preceding~~ section 82, the treasurer of said ~~town or plantation~~ administrative unit shall pay to the Treasurer of State a sum which shall be at the rate of \$25 annually for each teaching position in said ~~town or plantation~~ administrative unit, and the amount so received shall be credited to the General Fund.'

Sec. 7. R. S., c. 41, § 108, amended. The 2nd paragraph of section 108 of chapter 41 of the Revised Statutes, as amended, is further amended to read as follows:

'When pupils are sent from one administrative unit to an approved secondary school in another, if any accounts for tuition of such pupils are not paid on or before ~~the 1st day of September~~ August 15th of that year, the commissioner shall pay such accounts, or so much thereof as he shall find to be rightly due, to the treasurer of the receiving administrative unit, academy, institute or seminary at the next regular annual apportionment, together with interest on such accounts at the rate of 6% annually, computed from said ~~1st day of September~~ August 15th, and the commissioner shall charge any such payment against the apportioned fund of the sending administrative unit.'

Sec. 7-A. R. S., c. 41, § 154, amended. The 4th sentence of section 154 of chapter 41 of the Revised Statutes is amended to read as follows:

'All teachers of public schools in the State shall close their schools on the above-named days ~~and draw pay the same as if their schools had been in session.~~

Sec. 8. R. S., c. 41, § 162-A, additional. Chapter 41 of the Revised Statutes is amended by adding a new section 162-A, to read as follows:

Sec. 162-A. Schools for persons over 16 years of age, not at public schools. In addition to making provision for elementary and secondary schooling of children resident in the unorganized territory as provided in sections 160 to 162, the commissioner may establish evening schools, day schools, classes and educational activities, which shall admit persons over 16 years of age, who are not in attendance at a public school. Pupils in such schools or classes shall be subject to the same conditions, rules and regulations, as are provided for public schools.'

Sec. 8-A. R. S., c. 41, § 237-D, amended. The first sentence of section 237-D of chapter 41 of the Revised Statutes, as last repealed and replaced by section 16 of chapter 353 of the public laws of 1959, is amended to read as follows:

'The foundation program allowance for each administrative unit, except community school districts which do not offer educational programs for both grades and high school pupils, shall be determined as follows:'

Sec. 9. R. S., c. 22, § 48, amended. The 4th paragraph of section 48 of chapter 22 of the Revised Statutes is amended to read as follows:

'All motor vehicles used as school buses, except the pleasure car type, so called, shall be equipped with 2 doors, one on the right side near the front of the bus to be used for all ordinary exits and entrances; the other ~~at the rear to be equipped with a spring lock on the inside to be used only in case of emergency~~ to be located in center of rear end of bus or in rear half of left side of bus if engine is so located as to make it impossible to place door in center of rear end.'

Effective September 21, 1963

Chapter 404

AN ACT Relating to Eligibility of Trustees as Directors of Trust Companies.

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

R. S., c. 59, § 109, amended. Section 109 of chapter 59 of the Revised Statutes is amended to read as follows:

'**Sec. 109. Qualification of director.** No person shall be eligible to the position of a director of any trust company ~~who is not the~~ unless he is actual owner of stock amounting to \$1,000 par value, ~~free from encumbrance~~ or is a nominee of a registered bank holding company holding stock in such trust company in such an amount.'

Effective September 21, 1963

Chapter 405

AN ACT Relating to the Organization of the Maine State Guard.

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

Sec. 1. R. S., c. 14, § 89, amended. Section 89 of chapter 14 of the Revised Statutes is amended to read as follows:

'**Sec. 89. Authority and name.** ~~Whenever any part of the National Guard of this State is in active federal service, the~~ The Governor is authorized to organize and maintain within this State ~~during such period in time of peace, war or other emergency,~~ under such regulations as the Secretary of the Army of the United States may prescribe for the organization, standard of training, instruction and discipline, such military forces ~~distinct from the National Guard and the organized militia~~ as the Governor, as Commander in Chief, may deem necessary to defend this State and protect its sovereignty. **Such forces shall be known as the Maine State Guard and they shall be uniformed at the expense of the State.**

Such forces shall be composed of officers commissioned or assigned, and such able-bodied male citizens of the State and such other able-bodied men who have