

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

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Kennebec Journal  
Augusta, Maine  
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5 MRSA § 1728, sub-§ 3, first sentence, as repealed and replaced by PL 1977, c. 71, is repealed and the following enacted in its place:

Pursuant to programs approved by the Governor, provide necessary insurance and bonding protection and services of all types, including insurance service contracts, by funded self-insurance programs or by the purchase of insurance from companies or agents licensed to do business in the State of Maine, or by a combination of both, in order to give the State the best possible service, coverage and cost.

Effective September 14, 1979

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## CHAPTER 15

H. P. 4 — L. D. 10

AN ACT Relating to the Liability of Parents or Legal Guardians for Damage by Children.

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

19 MRSA § 217 is repealed and the following enacted in its place:

§ 217. Liability of parents or legal guardians for damage by children

The parents or legal guardians of any minor who is between 7 and 17 years of age and is living with his parents or legal guardians, which minor willfully or maliciously causes damage to any property or injury to any person, shall be jointly and severally liable with the minor for that damage or injury in an amount not exceeding \$800, if the minor would have been liable for the damage or injury if he had been an adult. Nothing in this section shall be construed to relieve the minor from personal liability for that damage or injury.

Effective September 14, 1979

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## CHAPTER 16

S. P. 66 — L. D. 110

AN ACT to Exclude Certain Academies from the Category of "Public School."

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

Sec. 1. 5 MRSA § 1001, sub-§ 18, as last amended by PL 1971, c. 622, § 9, is further amended to read:

18. **Public school.** "Public school" shall mean any public school conducted within the State under the authority and supervision of a duly elected board of education, superintending school committee or school directors, and any school which received any direct state aid in 1950, and municipal tuition funds amounting to at least the amount of such state aid, during the same year, except that Maine Wesleyan Seminary & College, commonly known as Kents Hill School, as of September 23, 1971, **Bridgton Academy, Gould Academy and North Yarmouth Academy as of September 1, 1979**, shall be excluded from such coverage as is extended by the Maine State Retirement System.

Sec. 2. **Application and effective dates.** That part of section 1 which applies to Bridgton Academy, Gould Academy and North Yarmouth Academy shall be applied to employees of these schools who are members of the Maine State Retirement System as "teachers" on September 1, 1979, under the following conditions.

1. **Continue membership.** Those persons who indicate a desire to continue membership in the Maine State Retirement System shall be permitted to do so.

2. **Terminate membership.** Those persons who desire to terminate membership in the Maine State Retirement System may be permitted to do so and receive a refund of the member's contributions and interest.

3. **Vested interest.** Those persons who have attained a vested interest in the Maine State Retirement System may elect to terminate membership in the Maine State Retirement System and freeze their vested interest.

For those persons who elect to continue membership in the Maine State Retirement System and those who have a vested right and elect to freeze their vested interest, the Maine State Retirement System shall annually charge the respective academy for the employer cost of Maine State Retirement System benefits, using the same actuarial costs that are determined for public school teachers in other school systems within the State.

Effective September 14, 1979

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## CHAPTER 17

H. P. 41 — L. D. 52

**AN ACT to Transfer Certain Inactive Accounts of the Maine State Retirement System to the Retirement Allowance Fund.**