

# 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  
1979

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**PUBLIC LAWS**  
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the preceding 2 years, the applicant has completed a course of continuing medical education as prescribed in the rules and regulations of the board. The registration fee for residents of this State and for nonresidents shall be fixed by rule or regulation, but shall in no event exceed the sum of ~~\$25~~ \$100. This section shall not apply to interns or residents registered under section 3279 nor shall it apply to those holding temporary certificates for practice in hospitals or camps as provided in section 3277. Said registration fees provided for under this section shall not be required of any physician who is 70 years of age on the first day of July of the year for which reregistration is made, although the requirement of reregistration as provided for shall apply without regard to age.

Effective September 14, 1979

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## CHAPTER 346

H. P. 1160 — L. D. 1425

### AN ACT to Define Residency for School Purposes.

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

Sec. 1. 20 MRSA § 859, sub-§ 3, as enacted by PL 1977, c. 690, § 6, is repealed and the following enacted in its place:

**3. Residence; state wards; nonresidents.**

A. A child shall be considered a resident of the school administrative unit where his parent or legal guardian resides. A state ward shall be considered a resident of the unit in which the State places him.

(1) For purposes of this subsection, a child's parent shall be the parent who has legal custody of the child.

B. A child, other than a state ward, residing with a person who is not the child's parent or legal guardian, shall be entitled to all of the school privileges of the unit where that person is a resident and shall be counted as a resident pupil of the unit if the superintendent of schools in the unit determines that it is in the best interest of the child because of the following:

(1) It is undesirable and impractical for the child to reside with his parents or legal guardian or that other extenuating circumstances exist which justify the placement of the child in the unit; and

(2) The child is residing in the unit for other than just school purposes.

The parents or legal guardian shall have the right to request the commissioner

to review the superintendent's determination. The commissioner shall review the superintendent's determination and issue a decision. His decision shall be final and binding upon all parties.

C. A child who has been placed by a state agency, licensed child-placing agency, parent or legal guardian in a non-family foster home located in a unit which is not his legal residence, shall be eligible to attend school in the unit where he is placed if:

(1) The state-placing agency, licensed child-placing agency, parent or legal guardian provides the receiving unit with satisfactory evidence that funds sufficient to cover the cost of educating the child will be paid to the receiving unit in the year of allocation; and

(2) The unit has approved the acceptance of tuition students in accordance with this Title.

D. Federal installations are considered a part of the school administrative unit or units in which they are located, and the children residing on the installations with their parents or legal guardian, or admitted under paragraphs A to C, shall be counted as resident pupils of the administrative unit or units.

E. This subsection shall not supersede the rights of students to attend school in an administrative unit pursuant to sections 1292; 966, subsection 2, paragraph A; 912; and chapter 404 and the rules adopted by the department pursuant thereto.

Sec. 2. 20 MRSA § 966, sub-§ 2 ¶ A, sub-¶ (1) is enacted to read:

(1) If the parents or guardians of pupils are aggrieved by the decisions of the superintendents of schools or the school agents, then they may request the commissioner to review the decisions. The commissioner shall review the decisions and determine whether the pupil or pupils shall be transferred. His determination shall be final and binding upon each administrative unit.

Effective September 14, 1979

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## CHAPTER 347

H. P. 170 — L. D. 221

**AN ACT to Prohibit Cancellation of Automobile or Property Insurance without Actual Notice to the Insured.**

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