

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

AT THE

**SECOND REGULAR SESSION**

January 2, 1980 to April 3, 1980

AND AT THE

**THIRD SPECIAL SESSION**

May 22, 1980

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

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K. J. Printing Co.  
Augusta, Maine

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Sec. 3. 3 MRSA § 319, as amended by PL 1977, c. 696, § 17, is repealed and the following enacted in its place:

§ 319. **Penalty**

1. **Failure to file registration or report.** Any person who fails to file a registration or report as required by this chapter shall be assessed a fine of \$50.

Sec. 4. 3 MRSA § 326 is enacted to read:

§ 326. **Construction**

Nothing in this chapter shall be construed to authorize the giving or receiving of a pecuniary benefit where otherwise prohibited by law.

Effective July 3, 1980

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## CHAPTER 633

H. P. 1662 — L. D. 1771

**AN ACT to Establish Time Limitations for Applications for Attendance at Certain Approved Secondary Schools under the Education Laws.**

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

20 MRSA § 1291, as last amended by PL 1979, c. 431, § 5, is repealed and the following enacted in its place:

§ 1291. **Pupils attending secondary schools not operated by nor contracted for by their administrative unit**

1. **No secondary school.** Any student, whose parent or legal guardian resides in any administrative unit which does not support, contract for or maintain an approved secondary school, may attend any approved secondary school to which he may gain entrance by permission of those having charge of that secondary school.

2. **Insufficient courses; time limitations.** If the secondary school which a student is otherwise entitled to attend does not offer 2 approved occupational courses of study; a 2-year course in mathematics or science or 2 approved foreign language courses, then he may attend an approved secondary school elsewhere for the purposes of taking the missing courses of study provided:

A. He is able to gain admission to the other approved secondary school;

B. He has met the qualifications for attending the secondary school operated by the administrative unit where his parent or legal guardian resides, or which the administrative unit has a contract with; and

C. He has notified his own administrative unit by April 1st, prior to the start of each academic year, that he wishes to take the course not being offered by his administrative unit. His administrative unit shall notify him on or before July 15th of that year whether the course will be offered in the next academic year.

3. Tuition payments. Tuition payments for students eligible under this section shall be paid as follows.

A. The administrative unit in which an eligible student's parent or legal guardian resides shall pay the student's tuition in an amount up to the legal tuition rate, as defined in section 1292. The voters of the administrative unit, at a regular or special town meeting, may authorize a larger tuition rate to be paid.

B. The administrative unit in which an eligible student's parent or legal guardian resides shall pay the student's tuition within 30 days of the billing date.

C. Secondary schools which accept tuition students under this section shall notify the superintendent of schools of the sending administrative unit of the acceptance of the student or students by name and grade.

D. Free tuition privileges shall continue only so long as the student involved maintains a satisfactory standard of deportment and scholarship and is regularly attending an approved secondary school.

4. Books and supplies. In accordance with sections 856, 857 and 3774, any administrative unit receiving tuition students under this section shall provide, without additional charge, all textbooks and apparatus and appliances used by the students.

5. Boarding costs; payment; transportation account. An administrative unit, which includes a Maine coast island that does not have highway connections with the mainland and which does not maintain a secondary school on the island, shall pay an amount not to exceed \$40 per week, or a prorated amount for any fraction thereof, to cover the boarding costs of any student eligible to attend a secondary school in accordance with this section, whose parent or legal guardian resides on the island provided the commissioner has determined that boarding is the only reasonable alternative for the student to be able to obtain his secondary education, and the arrangement to board the student has been approved by the commissioner in advance upon a form provided by the department for that purpose.

A. The sending administrative unit shall pay the student's board upon receipt of a satisfactory attendance record at the end of periods not longer than one school month.

B. The sending administrative unit shall charge the payments to the same account as that of secondary school transportation.

6. Town of Cumberland. The Town of Cumberland may pay the tuition, and, in addition, conveyance or board, subject to the regulations of the school committee, of any student whose parent or guardian resides on Chebeague Island for attendance at any approved secondary school.

7. Superintendents return; approval. When any administrative unit is required to pay and has paid board for a student attending a secondary school under this section the superintendent of schools of the unit shall annually make a return, under oath, to the commissioner on a form provided for that purpose before the first day of September, for the preceding school year stating the name of the student, the exact residence of the student, the amount of board paid by the administrative unit for the student and the name and location of the school the student attended.

Effective July 3, 1980

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## CHAPTER 634

S. P. 720 — L. D. 1870

**AN ACT to Allow School Districts to Account for Federally-subsidized Pupils as Residents of the District and not of the Municipality in which they Reside.**

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, school budgets must be prepared before July 1st; and

Whereas, the proposed legislation could affect the cost-sharing relationships among towns in a district and between towns and the State; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

20 MRSA § 305, 6th ¶, **Alternate Method B**, as last amended by PL 1973, c. 571, § 23, is further amended by adding after the 2nd sentence, a new sentence to read:

**For the purposes of this chapter only, districts may elect to consider pupils residing on land under the control of the Federal Government, or any agency**