

# 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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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**  
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Sec. 37. 34 MRSA § 1683, as enacted by PL 1977, c. 520, § 3, is repealed.

Sec. 38. **Revision clause.** Wherever in the Revised Statutes the words "juvenile court" appear they shall be amended to read and mean "Juvenile Court."

Effective July 3, 1980

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## CHAPTER 682

### H. P. 1945 — L. D. 1993

#### **AN ACT to Assist Schools Receiving Tuition Students in Complying with Federal Handicapped Laws on Program Accessibility.**

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

Whereas, all programs receiving funds from the United States Department of Health, Education and Welfare which include schools must comply by June 3, 1980, with the United States Vocational Rehabilitation Act of 1973, Section 504, making the program accessible to handicapped students; and

Whereas, schools will not be able to take advantage of the provisions of this Act in the next fiscal year unless this legislation is passed as an emergency; 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 § 1292, as last amended by PL 1977, c. 690, §§ 9 and 10 is further amended by adding at the end a new paragraph:

Notwithstanding the other limitations of this section, public and private schools are authorized to adjust their legal tuition rate for the express purpose of complying with the requirements of United States Vocational Rehabilitation Act of 1973, Section 504, Public Law 93-112. Projects, costs and the methods of financing to bring the facilities into compliance must receive prior approval of the commissioner. The cost adjustment per pupil shall be calculated by dividing the lesser of the actual compliance costs or debt retirement payments of the year immediately prior to the year for which the tuition charge is computed by the average number of pupils attending the school on October 1st and April 1st of the same year. The adjustment of the legal tuition rate and the period of time the

adjustment may be charged is subject to the approval of the commissioner. Administrative units are authorized to make tuition payments in excess of the legal rate in accordance with this paragraph. The provisions of this paragraph shall apply to minor capital projects which have received departmental approval before June 30, 1982.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective March 31, 1980

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## CHAPTER 683

H. P. 1603 — L. D. 1714

**AN ACT to Provide for Local Management of Timber on Public Lands in Organized Towns.**

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

Sec. 1. 12 MRSA § 557, sub-§ 3, as last amended by PL 1979, c. 224, § 1, is further amended by inserting at the end the following new sentences:

With respect to stumpage income from timber located on public reserved lands and leased pursuant to Title 30, section 4162, subsection 4, paragraph L, 50% of the income shall be returned by the Treasurer of State to the lessee for its own purposes. The director may approve the handling of income from sales or permits for up to \$500 by the lessees. The lessees shall submit a semiannual accounting of this income and payment for the state's share of the income.

Sec. 2. 30 MRSA § 4162, sub-§ 4, ¶ L is enacted to read:

L. Lease to incorporated towns the right to manage timber on all or part of the public reserved lands within the boundaries of the town in accordance with multiple use management plans, subject to the following conditions:

- (1) Public reserved lands acquired through land exchanges may not be leased;
- (2) A management plan submitted to the director by a town shall be approved or disapproved by the director within 60 days of submission, or the plan shall be deemed approved. The director shall conduct the same interagency reviews and apply the same standards in evaluating such management plans as are being applied in formulating the bureau's own management plans, as of the date of submittal;