

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

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

K.J. Printing Co.
Augusta, Maine
1981

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

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1981

All certificates shall expire on December 31st of the 2nd year following issuance or such other times as the Commissioner of Business Regulation may designate. The certificates may be renewed on a biennial basis without further examination upon the payment of the proper fee. The Department of Business Regulation shall notify everyone registered under this chapter of the date of expiration of his license and the amount of fee required for its renewal for a 2-year period. The notice shall be mailed to the person's last known address at least 30 days in advance of the expiration date of his license. Any person who fails to renew his license within a period of 90 days following the expiration date is required to take an examination.

Effective September 18, 1981

CHAPTER 62

H. P. 168 — L. D. 221

AN ACT to Amend the Law Relating to the Regulation of Privately Owned Correspondence Schools.

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

Sec. 1. 20 MRSA §§ 2651 to 2656, as amended, are repealed.

Sec. 2. 20 MRSA §§ 2651-A to 2654-A are enacted to read:

§ 2651-A. Certificate of approval; exemptions

1. Requirement for certificate of approval. Any privately owned correspondence school located either within or outside of the State shall obtain a certificate of approval from the commissioner before soliciting or selling in Maine any correspondence course or collecting any tuition, fee or other charge. In addition, each correspondence school shall supply a listing of solicitors authorized by it to recruit in Maine.

2. Exceptions. Public institutions which are exempt from property taxation under Maine laws and courses or programs of instruction conducted under contract with an employer for employees exclusively are exempt from the requirements of this chapter.

§ 2652-A. Application form; fee; bond

1. Application requirements; certification period; bonding and revocation of certificate. The application for a certificate of approval required in section 2651-A shall be made on forms furnished by the commissioner and shall be accompanied by a fee of \$50 and a surety bond in the penal sum of \$1,000.

A. A certificate shall be valid for the calendar year in which it is issued.

B. The bond shall be continuous and shall provide indemnification to any student suffering loss as a result of any fraud or misrepresentation by the school. The bond shall provide for written notification by the surety to the department in the event of cancellation. Cancellations of the bond by the surety shall result in the revocation of the certificate of approval.

2. **Renewal.** A fee of \$25 shall be charged for the renewal of a certificate.

3. **General Fund.** All fees collected for the issuance or renewal of a certificate shall be deposited in the State Treasury.

§ 2653-A. Penalty

Operating or conducting a private correspondence school by any firm, association or corporation, except by authority of a valid certificate of approval as required by this chapter, is a civil violation for which a forfeiture of not more than \$1,000 may be adjudged.

§ 2654-A. Rules and regulations

The commissioner is authorized in accordance with chapter 2 to adopt rules and regulations for the administration and enforcement of this chapter.

Effective September 18, 1981

CHAPTER 63

S. P. 108 — L. D. 238

AN ACT to Define Alewives for the Purpose of Managing or Leasing Alewife Fishing Rights.

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

12 MRSA § 6001, sub-§ 1-A is enacted to read:

1-A. **Alewives.** "Alewives" means the species *Alosa pseudoharengus*, commonly called alewife, and *Alosa aestivalis*, commonly called blueback herring.

Effective September 18, 1981