

## CHAPTER 119

### UNORGANIZED TERRITORY

#### SUBCHAPTER 1

##### GENERAL PROVISIONS

###### §3201. Definitions

As used in this chapter, unless the context indicates otherwise, the following terms have the following meanings. [PL 1981, c. 693, §§ 5, 8 (NEW).]

**1. Unorganized territory.** "Unorganized territory" means territory not part of a municipality. [PL 1981, c. 693, §§ 5, 8 (NEW).]

**2. Unorganized unit.** "Unorganized unit" means an unorganized township, gore, strip, tract, surplus, point, patent, peninsula, island, deorganized town or plantation or any other distinct portion of the unorganized territory. [PL 1981, c. 693, §§ 5, 8 (NEW).]

###### SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW).

###### §3202. Rules

The commissioner may adopt rules to carry out this chapter. [PL 1981, c. 693, §§ 5, 8 (NEW).]

###### SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW).

#### SUBCHAPTER 2

##### SCHOOL PRIVILEGES

###### §3251. School privileges in the unorganized territories

Subject to such reasonable rules as the commissioner may adopt, all persons who have attained the age of 5 years on October 15th and have not reached 20 years of age before the start of the school year and who reside with a parent in the unorganized territory or who are resident emancipated minors or residents at least 18 years old are eligible to attend elementary and secondary schools and to receive appropriate special education and related services without charge to themselves or their parents. Education must be provided in alignment with the system of learning results as established in section 6209 under the direction of the commissioner and must meet the general standards for elementary and secondary schooling and special education established pursuant to this Title. [PL 2001, c. 454, §11 (AMD).]

###### SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1985, c. 490, §2 (AMD). PL 2001, c. 454, §11 (AMD).

###### §3252. Elementary pupils

**1. Elementary school privileges provided.** The commissioner may provide elementary schooling for resident children by establishing and maintaining such elementary schools as may seem advisable

or by sending these children as tuition students to a public or private elementary school approved for tuition purposes under section 2951.

[PL 2019, c. 398, §15 (AMD).]

**2. Admission by receiving school.** Tuition students sent to a public school shall be admitted by the receiving school officials upon receipt of a notice of intention from the commissioner.

[PL 1985, c. 490, §3 (RPR).]

**3. Benefits.** Tuition students shall be entitled to all privileges and benefits and shall be subject to the same rules as students residing in the receiving school administrative unit.

[PL 1985, c. 490, §3 (RPR).]

**4. Tuition.** The commissioner shall pay tuition for each tuition student in the amount approved as the receiving administrative unit's official tuition cost pursuant to section 5804 or 7302.

[PL 2007, c. 424, §1 (AMD).]

**4-A. Targeted funds.**

[PL 2011, c. 678, Pt. F, §1 (RP).]

**5. Transportation and board.** The costs of transportation or board for students under this section may be paid in full or in part by the commissioner except that the commissioner may not provide or reimburse parents for providing transportation of students over roads that have not been accepted by the county as public roads or do not meet Department of Transportation standards. Beginning with fiscal year 2009-10, the commissioner may not reimburse parents for the transportation of a student.

[PL 2007, c. 541, Pt. C, §1 (AMD).]

**6. Studies outside the country.** The commissioner may, in the commissioner's discretion, make special arrangements for children in the unorganized territory to attend a public school in the adjoining territory of the Province of Quebec and may pay tuition for those students.

[PL 2019, c. 398, §16 (AMD).]

**7. Exception.**

[PL 1985, c. 490, §3 (RP).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1985, c. 490, §3 (RPR). PL 2005, c. 12, §QQQ1 (AMD). PL 2005, c. 635, §1 (AMD). PL 2007, c. 424, §1 (AMD). PL 2007, c. 541, Pt. C, §1 (AMD). PL 2011, c. 678, Pt. F, §1 (AMD). PL 2019, c. 398, §§15, 16 (AMD).

**§3253. Secondary students**

**(REPEALED)**

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1985, c. 490, §4 (RP).

**§3253-A. Secondary students**

**1. Secondary students.** Any eligible resident student who may be judged by the commissioner to be qualified may attend as a tuition student any public or private secondary school approved for tuition purposes under section 2951 to which that tuition student may gain entrance.

[PL 2019, c. 398, §17 (AMD).]

**2. Benefits.** Tuition students shall be entitled to all privileges and benefits and shall be subject to the same rules as resident students of a receiving school administrative unit or other enrolled students of a receiving private school.

[PL 1985, c. 490, §5 (NEW).]

**3. Tuition.** Notwithstanding section 5805, subsection 2 and section 5809, the commissioner shall pay tuition for each tuition student in an amount equal to the official tuition rate approved pursuant to section 5805, subsection 1 for the receiving school for nonresident students enrolled in secondary schools or special education or career and technical education programs as long as the student maintains a satisfactory standard of deportment and scholarship. The commissioner shall pay tuition for each tuition student in an amount equal to the official tuition rate approved pursuant to section 7302 for the receiving school for nonresident students enrolled in special education programs, as long as the student maintains a satisfactory standard of deportment and scholarship.  
[PL 2007, c. 424, §2 (RPR).]

**3-A. Targeted funds.**

[PL 2009, c. 213, Pt. XX, §1 (RP).]

**4. Transportation or board.** The costs of transportation or board for students under this section may be paid in full or in part by the commissioner except that the commissioner may not provide or reimburse parents for providing transportation of students over roads that have not been accepted by the county as public roads or do not meet Department of Transportation standards. Beginning with fiscal year 2009-10, the commissioner may not reimburse parents for the transportation of a student.  
[PL 2007, c. 541, Pt. C, §2 (AMD).]

SECTION HISTORY

PL 1985, c. 490, §5 (NEW). PL 1985, c. 603, §1 (AMD). PL 2005, c. 12, §QQQQ2 (AMD). PL 2005, c. 397, §D3 (REV). PL 2005, c. 635, §2 (AMD). PL 2007, c. 424, §2 (AMD). PL 2007, c. 541, Pt. C, §2 (AMD). PL 2009, c. 213, Pt. XX, §1 (AMD). PL 2019, c. 398, §17 (AMD).

**§3254. Other students**

**(REPEALED)**

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1985, c. 490, §6 (RP).

**§3254-A. Other educational programs**

**1. Special education programs.** The commissioner shall provide special education and related services to all children with disabilities of the unorganized territory in accordance with the provisions of chapter 303, except that the commissioner shall carry out the duties of school administrative units and superintendents as described in that chapter.  
[PL 2005, c. 662, Pt. A, §8 (AMD).]

**2. Preschool programs.** The commissioner may establish preschool programs for children with disabilities between the ages of 3 and 5 years or contract with school administrative units to provide the programs.  
[PL 2021, c. 348, §25 (AMD).]

**3. Other programs.** The commissioner may establish evening schools, day schools, classes and educational programs for persons over 16 years of age residing in the unorganized territory and not attending school. Students in these schools or programs shall be subject to the same conditions and rules as students in other similar schools or programs established pursuant to this Title.  
[PL 1985, c. 490, §7 (NEW).]

SECTION HISTORY

PL 1985, c. 490, §7 (NEW). PL 2005, c. 662, §A8 (AMD). PL 2021, c. 348, §25 (AMD).

**§3255. Children on government reservations**

The commissioner may make special arrangements to provide elementary school privileges in cooperation with the Federal Government for children residing with a parent or legal guardian at a light station, fog warning station, lifesaving station or other place within a United States government reservation. [PL 1981, c. 693, §§ 5, 8 (NEW).]

#### SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW).

### SUBCHAPTER 2-A

#### COMPULSORY SCHOOL ATTENDANCE

##### §3271. Compulsory attendance at school

**1. Required attendance.** Persons residing in the unorganized territory who are at least 6 years of age and under 17 years of age shall attend a public day elementary or secondary school or an approved private school during the time it is in session.

[PL 2019, c. 508, §1 (AMD).]

**1-A. Attendance of persons 5 years of age or older and under 6 years of age.** A person 5 years of age or older and under 6 years of age who is enrolled in and who has not withdrawn from a public day school is required to attend that school during the time it is in session.

[PL 2019, c. 508, §2 (AMD).]

**2. Alternative instruction.** Alternative instruction may be substituted for attendance in a day school in the following cases when approved by the school principal. A person 5 years of age or older and under 6 years of age is not required to meet the requirements of this subsection.

A. The person is enrolled in an approved special education program. [PL 1985, c. 490, §8 (NEW).]

B. The person obtains equivalent instruction through alternative learning or in any other manner arranged or approved by the commissioner. [PL 2007, c. 667, §4 (AMD).]

C. [PL 1989, c. 415, §3 (RP).]

[PL 2019, c. 508, §3 (AMD).]

**3. Exceptions.** Attendance at school or an alternative education program is not required of:

A. A person who has graduated from high school before the person's 17th birthday; [PL 2007, c. 667, §5 (AMD).]

B. A person who is at least 15 years old, has completed the 9th grade and has permission to leave school to participate in a suitable program of training or combined work and study from a parent and the commissioner; and [PL 1989, c. 415, §4 (AMD).]

C. A person who has been adjudged a truant and has been excused from attendance pursuant to procedures established by the commissioner. [PL 2011, c. 614, §8 (AMD).]

[PL 2011, c. 614, §8 (AMD).]

#### SECTION HISTORY

PL 1985, c. 490, §8 (NEW). PL 1989, c. 415, §§3,4 (AMD). PL 2007, c. 667, §§4, 5 (AMD). PL 2011, c. 614, §8 (AMD). PL 2019, c. 235, §§1, 2 (AMD). PL 2019, c. 508, §§1-3 (AMD).

##### §3272. Truancy; excusable absences

**1. Truancy.**

[PL 2011, c. 614, §9 (RP).]

**2. Truancy.** A person is truant if:

A. The person is required to attend school or alternative instruction and has completed grade 6 under this chapter and has the equivalent of 10 full days of unexcused absences or 7 consecutive school days of unexcused absences during a school year; [PL 2019, c. 235, §3 (AMD).]

B. The person is required to attend school or alternative instruction and is at least 6 years of age and has not completed grade 6 under this chapter and has the equivalent of 7 full days of unexcused absences or 5 consecutive school days of unexcused absences during a school year; or [PL 2019, c. 508, §4 (AMD).]

C. The person is required to attend school pursuant to section 3271, subsection 1-A and has not completed grade 6 and has the equivalent of 7 full days of unexcused absences or 5 consecutive school days of unexcused absences during a school year. [PL 2019, c. 235, §3 (NEW).]

[PL 2019, c. 508, §4 (AMD).]

**3. Excusable absence.** A person's absence is excused when the absence is for the following reasons:

A. Personal health, including the person's physical, mental and behavioral health; [PL 2019, c. 562, §1 (AMD).]

B. An appointment with a health professional that must be made during the regular school day and the absence has prior approval; [PL 2007, c. 304, §2 (AMD).]

C. Observance of a recognized religious holiday when the observance is required during the regular school day; [PL 2021, c. 25, §1 (AMD).]

D. A family emergency; or [PL 1985, c. 490, §8 (NEW).]

E. A planned absence for a personal or educational purpose that has prior approval. [PL 2007, c. 304, §2 (AMD).]

[PL 2021, c. 25, §1 (AMD).]

**4. Adult responsibility.** Any adults having a person of compulsory school age under their control shall cause the person to attend school as provided in this section.

[PL 1985, c. 490, §8 (NEW).]

## SECTION HISTORY

PL 1985, c. 490, §8 (NEW). PL 1989, c. 415, §5 (AMD). PL 2007, c. 304, §§1, 2 (AMD). PL 2011, c. 614, §§9, 10 (AMD). RR 2011, c. 2, §17 (COR). PL 2019, c. 235, §3 (AMD). PL 2019, c. 508, §4 (AMD). PL 2019, c. 562, §1 (AMD). PL 2021, c. 25, §1 (AMD).

**§3273. Enforcement**

**1. Civil violations.** A parent who has control of a person who is truant under section 3272, subsection 2 and who is primarily responsible for that person's truancy commits a civil violation under this chapter.

A. [PL 1989, c. 415, §6 (RP).]

B. [PL 1989, c. 415, §6 (RP).]

C. [PL 1989, c. 415, §6 (RP).]

[PL 2011, c. 614, §11 (AMD).]

**2. Jurisdiction.** The District Court shall have jurisdiction over these violations.

[PL 1989, c. 415, §7 (AMD).]

**3. Process.** Service of the petition on the parent shall be in accordance with the Maine Rules of Civil Procedure.

[PL 1989, c. 415, §8 (RPR).]

**4. Penalties.**

[PL 1989, c. 415, §9 (RP).]

**5. Disposition.** The court may order injunctive relief of one or more of the following actions against any person who commits a civil violation under subsection 1:

- A. Ordering the offender to comply with this chapter; [PL 1989, c. 415, §10 (NEW).]
- B. Ordering the offender to take specific action to ensure the student's attendance at school; [PL 1989, c. 415, §10 (NEW).]
- C. Enjoining the offender from engaging in specific conduct which interferes with or may interfere with the student's attendance at school; or [PL 1989, c. 415, §10 (NEW).]
- D. Ordering the offender to undergo counseling by a professional selected by the offender, with the court's approval, or by the court. The counselor shall submit a written evaluation to the court and to the offender. [PL 1989, c. 415, §10 (NEW).]

[PL 1989, c. 415, §10 (NEW).]

**6. Fine.** For a civil violation under this section, the court may impose a fine not to exceed \$250, all or part of which may be suspended upon the offender's compliance with a court order under this section.

[PL 2007, c. 304, §4 (NEW).]

SECTION HISTORY

PL 1985, c. 490, §8 (NEW). PL 1985, c. 797, §§29,30 (AMD). PL 1989, c. 415, §§6-10 (AMD). PL 2007, c. 304, §§3, 4 (AMD). PL 2011, c. 614, §11 (AMD).

**SUBCHAPTER 3**

**COMMISSIONER'S POWERS**

**§3301. General powers**

The commissioner shall have the following general powers. [PL 1981, c. 693, §§5, 8 (NEW).]

**1. Agents.** The commissioner may appoint agents for the unorganized territory to act as attendance officers and perform such other school duties as are delegated to them by the commissioner.

[PL 1985, c. 490, §9 (AMD).]

**2. Special attendance officers.** The commissioner may appoint special attendance officers for the unorganized territory.

[PL 1985, c. 490, §9 (AMD).]

**3. School buildings.**

[PL 1985, c. 490, §9 (RP).]

**4. Disposal of property.**

[PL 1985, c. 490, §9 (RP).]

**5. Employment of personnel.** The commissioner shall employ teachers, administrators and other personnel as necessary to provide schooling and to care for the school property in the unorganized territory.

[PL 1985, c. 490, §9 (NEW).]

**6. Contracting authority.** The commissioner may make all contractual arrangements deemed necessary to provide elementary, secondary, special education and career and technical education outside the unorganized territory in other schools of the State.  
[PL 1985, c. 490, §9 (NEW); PL 2005, c. 397, Pt. D, §3 (REV).]

**7. Payment of board.** In each case where application for the payment of board for an eligible student is made, the commissioner shall determine if board is necessary. The commissioner shall approve all boarding arrangements prior to making payments. Payments for board shall be made for a period of not less than one school month upon receipt of a satisfactory attendance record for the student from a responsible school official.  
[PL 1985, c. 490, §9 (NEW).]

**8. Closing school.** The commissioner may not close a school in the unorganized territory except in accordance with procedures and standards established by the department by rule. The rules must provide for a public hearing in the area served by a school prior to the date of the proposed closure of the school. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.  
[PL 2005, c. 30, §1 (NEW).]

#### SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1985, c. 490, §9 (AMD). PL 2005, c. 30, §1 (AMD). PL 2005, c. 397, §D3 (REV).

#### §3302. General laws applicable (REPEALED)

#### SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1985, c. 490, §10 (RP).

#### §3302-A. Care of school property

The commissioner shall have charge of all school property in the unorganized territory. [PL 1985, c. 490, §11 (NEW).]

**1. School buildings.** The commissioner shall hold and manage the schools of the unorganized territory and provide custody and care, including all necessary repairs, changes and additions to the buildings.  
[PL 1985, c. 490, §11 (NEW).]

**2. Books and equipment.** The commissioner shall furnish each school with the books and equipment necessary for the course of study offered in the schools and shall provide students in each school with school books and necessary apparatus without expense to them or their parents. The commissioner shall assure that all necessary school books, apparatus and supplies are seasonably distributed to each school, accurately accounted for and economically used.  
[PL 1985, c. 490, §11 (NEW).]

**3. Ownership of school buildings.** School buildings not privately owned in the unorganized territory are declared to be the property of the State and held in trust for the unorganized territory.  
[PL 1985, c. 490, §11 (NEW).]

**4. Use of school property.** The commissioner may rent or lease any unused school building or portion of a building for school-related purposes for any purpose which would not interfere with the school programs. The proceeds of the rentals or leases shall be paid to the Unorganized Territory Education and Services Fund established in Title 36, chapter 115.  
[PL 1985, c. 603, §2 (AMD).]

**5. Disposal of property.** The commissioner may sell, transfer or dispose of school property, books or equipment in the unorganized territory. The proceeds of any sale, transfer or disposal shall be paid to the Unorganized Territory Education and Services Fund established in Title 36, chapter 115. [PL 1985, c. 603, §2 (AMD).]

**6. Applicability of general laws relating to illegal conduct.** Sections 6804 and 6807 shall apply to the unorganized territory, except that the commissioner shall stand in place of the school administrative unit. To enforce these laws, action may be brought in the District Court or the Superior Court. All forfeitures collected as part of such enforcement actions shall be deposited to the Unorganized Territory School Fund, except that an amount not to exceed the costs of prosecution may be paid, upon court order, to the county treasury. [PL 1985, c. 490, §11 (NEW).]

#### SECTION HISTORY

PL 1985, c. 490, §11 (NEW). PL 1985, c. 603, §2 (AMD).

#### §3303. Student census

By April 1st of each year, the commissioner shall determine the number, names and ages of all students of eligible age in the unorganized territory who have not graduated from high school. [PL 1985, c. 490, §12 (RPR).]

#### SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1985, c. 490, §12 (RPR).

#### §3304. Tuition students in unorganized units

A school board may, when it seems advantageous and in the best interest of the students concerned, arrange for students who are entitled to school privileges in its school administrative unit, to attend schools maintained by the State in the unorganized territory, subject to the terms and conditions the commissioner may determine. [PL 1981, c. 693, §§5, 8 (NEW).]

##### 1. Charges.

[PL 1997, c. 535, §1 (RP).]

**1-A. Charges.** The per pupil tuition charge must be an amount equal to the state average expenditure per elementary pupil during the preceding year, as determined annually by the commissioner pursuant to section 5804, or the receiving school administrative unit's actual expenditure per elementary pupil for the preceding year as calculated by the commissioner, whichever is less. [PL 2005, c. 115, §1 (AMD).]

**2. Income credited.** The tuition income shall be credited to the Unorganized Territory School and Capital Working Funds for the fiscal year in which it is earned. [PL 1985, c. 490, §13 (AMD).]

**3. Payments.** The school board shall pay, prior to June 30th of the school year for which a schooling agreement is made any sums agreed on and shall charge these sums to the appropriations of money raised in that school administrative unit. [PL 1981, c. 693, §§5, 8 (NEW).]

#### SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1985, c. 490, §13 (AMD). PL 1997, c. 535, §§1,2 (AMD). PL 2005, c. 115, §1 (AMD).

#### §3305. Taking of land

The following provisions apply to taking land for school purposes in the unorganized territory. [PL 1981, c. 693, §§ 5, 8 (NEW).]



**1. Taking.** The commissioner may designate, lay out and take a schoolhouse lot not to exceed 3 acres, after 30 days written notice to the owner, if:

A. The owner refuses to sell; [PL 1981, c. 693, §§ 5, 8 (NEW).]

B. The commissioner determines the price is unreasonable; or [PL 1981, c. 693, §§ 5, 8 (NEW).]

C. The owner resides outside the State and has no authorized agent or attorney in the State. [PL 1981, c. 693, §§ 5, 8 (NEW).]  
[PL 1981, c. 693, §§ 5, 8 (NEW).]

**2. Appraisal and payment.** Prior to a taking, the commissioner shall appraise the damages and pay or tender the damages to the owner. If the owner does not reside in the State, the commissioner shall deposit the damages with the Treasurer of State for the owner's use.  
[PL 1981, c. 693, §§ 5, 8 (NEW).]

**3. Reversion to owner.** If the State does not erect a school building on the lot within 3 years from the date of taking, the lot shall revert to the owner, the owner's heirs or assigns.  
[PL 1981, c. 693, §§ 5, 8 (NEW).]

**4. Enlargement or extension of lot.** The commissioner may extend or enlarge a schoolhouse lot by purchase or otherwise, on the terms and conditions and in the manner the commissioner determines proper, or by the exercise of eminent domain or property rights. Using eminent domain, the commissioner may not take more than 25 acres for one project. In using eminent domain, the commissioner is governed by Title 35-A, chapter 65. Land taken may not be within 50 feet of a dwelling.  
[PL 1993, c. 494, §2 (AMD).]

**5. Fencing.** When a schoolhouse lot or playground requires fencing, the commissioner shall fence it.  
[PL 1981, c. 693, §§ 5, 8 (NEW).]

**6. Appeals.** If the owner is aggrieved at the location of the lot or the damages awarded, that owner may apply to the State Tax Assessor within 3 months. The State Tax Assessor may change the location and assess the damages. If the damages are increased or the location changed, the State shall pay the damages and costs, otherwise the costs shall be paid by the applicant.  
[PL 1983, c. 806, §29 (AMD).]

#### SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1983, c. 806, §29 (AMD). PL 1993, c. 494, §2 (AMD).

### SUBCHAPTER 4

#### FINANCING

#### §3351. Unorganized Territory School Fund and Unorganized Territory School Contingency Fund

**1. Appropriation by the Legislature.** The Legislature shall appropriate money to the Unorganized Territory School and Capital Working Funds.  
[PL 1985, c. 490, §14 (AMD).]

**2. Expenditures by the commissioner.** The commissioner may expend amounts necessary to carry out this chapter from the Unorganized Territory School and Capital Working Funds and for a purpose necessary for the schooling of children in the unorganized territory, including:

- A. Salaries, board and traveling expenses of teachers, supervisors and other employees; [PL 1985, c. 490, §14 (AMD).]
  - B. Conferences, training programs and professional improvement of teachers and other employees; [PL 1985, c. 490, §14 (AMD).]
  - C. Fuel and janitor service; [PL 1981, c. 693, §§5, 8 (NEW).]
  - D. Tuition, board and transportation of elementary and secondary school students; [PL 1981, c. 693, §§5, 8 (NEW).]
  - E. Text and reference books, school apparatus and supplies, leases or rentals of lots or school buildings; [PL 1981, c. 693, §§5, 8 (NEW).]
  - F. Minor repairs to school buildings or equipment; [PL 1981, c. 693, §§5, 8 (NEW).]
  - G. Services, expenses and fees of agents, attendance officers and clerical assistants; [PL 1981, c. 693, §§5, 8 (NEW).]
  - H. Office expenses and utility service; [PL 1981, c. 693, §§5, 8 (NEW).]
  - I. School medical and dental services; [PL 1981, c. 693, §§5, 8 (NEW).]
  - J. The erection, equipping, major repair, remodeling or alteration of schoolhouses and other requisite buildings; [PL 1981, c. 693, §§5, 8 (NEW).]
  - K. The purchase of lots or buildings for school purposes or faculty housing; [PL 1981, c. 693, §§5, 8 (NEW).]
  - L. The purchase, equipment and repair of school buses; and [PL 1985, c. 490, §14 (AMD).]
  - M. For any other necessary capital expenses for providing schools in the unorganized territory. [PL 1985, c. 603, §3 (AMD).]
- [PL 1985, c. 603, §3 (AMD).]

### 3. Balances.

[PL 1985, c. 603, §4 (RP).]

**3-A. Balance carried forward.** The commissioner may carry forward any remaining unexpended balance in the accounts established for the purpose of the schooling of children in the unorganized territories from one fiscal year to the next fiscal year.  
[PL 1991, c. 528, Pt. I, §2 (NEW); PL 1991, c. 528, Pt. RRR (AFF); PL 1991, c. 591, Pt. I, §2 (NEW).]

**4. Gifts and bequests.** The Treasurer of State may accept gifts, bequests and other funds from public or private agencies, subject to any conditions approved by the commissioner, to be credited to the Unorganized Territory Education and Services Fund established by Title 36, chapter 115. A gift, bequest or grant made for a particular designated project shall be credited to the Unorganized Territory Education and Services Fund.  
[PL 1985, c. 603, §5 (AMD).]

### 5. Short-term investments.

[PL 1985, c. 603, §6 (RP).]

## SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1985, c. 490, §14 (AMD). PL 1985, c. 603, §§3-6 (AMD). PL 1991, c. 528, §12 (AMD). PL 1991, c. 528, §RRR (AFF). PL 1991, c. 591, §12 (AMD).

## SUBCHAPTER 5

## ORGANIZATION AND DEORGANIZATION

### §3401. Organization of unorganized unit

If an unorganized unit becomes organized as a municipality or plantation, it shall, within 5 years of the date of organization, pay to the Treasurer of State for each school building within its limits erected or remodeled prior to August 20, 1951, a sum to be determined by the commissioner from records kept by the commissioner of the cost of these buildings, lots and improvements. The sum shall be credited to the General Fund. A municipality or plantation dissatisfied with the sum determined by the commissioner may, after a vote taken by the municipality or plantation at a regular or special meeting called for the purpose, appeal to the Governor. The Governor's decision shall be final. [PL 1981, c. 693, §§ 5, 8 (NEW).]

#### SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW).

### §3402. Deorganization of an organized unit

If a municipality or plantation becomes deorganized by the Legislature, all school property in that municipality shall become the property of the State and under the charge of the commissioner, as is other school property in the unorganized territory. [PL 1981, c. 693, §§ 5, 8 (NEW).]

#### SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW).

### §3403. Failure of civil organization

**1. Failure of organization.** If the civil organization of a municipality or plantation becomes defunct, through failure to hold the annual meeting, failure to fill vacancies in necessary offices or in any other manner, and until the municipality or plantation recovers its civil organization or it is deorganized by the Legislature, the commissioner shall:

A. Assume charge of all school property within its area; [PL 1981, c. 693, §§5, 8 (NEW).]

B. Require an accounting of all municipal or plantation school funds; and [PL 1981, c. 693, §§5, 8 (NEW).]

C. Provide schools for children between 5 and 20 years of age whose parents are residents of the municipality or plantation. [PL 1981, c. 693, §§5, 8 (NEW).]

[PL 1981, c. 693, §§5, 8 (NEW).]

**2. School privileges.** The commissioner may provide school privileges under the supervision of an agent of the unorganized territory or a special agent appointed for this purpose.

[PL 1981, c. 693, §§ 5, 8 (NEW).]

**3. Expenses.** The expense of these school privileges shall be paid from the appropriation for schools in the unorganized territory.

[PL 1981, c. 693, §§ 5, 8 (NEW).]

**4. Recovery of expenses.** If a municipality or plantation recovers its civil organization within 2 years, the expenses paid under subsection 3, on the recommendation of the commissioner, shall be deducted by the Treasurer of State from school funds that may subsequently become payable to the municipality. The Treasurer of State shall credit these deductions to the Unorganized Territory School and Working Capital Funds.

[PL 1985, c. 490, §15 (AMD).]

#### SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1985, c. 490, §15 (AMD).

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