

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

SECOND REGULAR SESSION-1996

Legislative Document

No. 1800

H.P. 1316

House of Representatives, February 20, 1996

Resolve, to Recognize the Maine School for the Arts and the Maine High School for the Arts.

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27. Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative LUMBRA of Bangor.
Cosponsored by Senator PARADIS of Aroostook and
Representatives: BIRNEY of Paris, CAMPBELL of Holden, CARR of Hermon, CHICK of
Lebanon, DAVIDSON of Brunswick, FARNUM of South Berwick, GIERINGER of Portland,
HICHBORN of Lagrange, JONES of Pittsfield, JOY of Crystal, KEANE of Old Town, LANE
of Enfield, LEMONT of Kittery, LOOK of Jonesboro, LOVETT of Scarborough,
MARSHALL of Eliot, McALEVEY of Waterboro, MERES of Norridgewock, MORRISON
of Bangor, MURPHY of Berwick, PENDLETON of Scarborough, PERKINS of Penobscot,
PINKHAM of Lamoine, PLOWMAN of Hampden, RICE of South Bristol, SAXL of Bangor,
SPEAR of Nobleboro, STEDMAN of Hartland, STONE of Bangor, UNDERWOOD of
Oxford, WATERHOUSE of Bridgton, WHITCOMB of Waldo, WINGLASS of Auburn,
WINN of Glenburn, Senators: HANLEY of Oxford, HATHAWAY of York, MICHAUD of
Penobscot.

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

4
6 **Whereas,** the Maine School for the Arts, also known as the
Maine High School for the Arts, has existed as a not-for-profit
corporation since March 22nd, 1994; and

8
10 **Whereas,** the school has been organized under the laws of the
State of Maine, specific to the Maine Revised Statutes, Title
13-B, section 403, whose purpose is to educate persons including
12 but not limited to high school age in the area of the arts,
including but not limited to dance, music, theater and the visual
14 arts; and

16 **Whereas,** this legislation is immediately necessary to
ensure the ability of the school to operate within its lawful
18 corporate purpose; and

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

26 **Sec. 1. Prohibition. Resolved:** That the Legislature, in fully
recognizing the rights, privileges and protections belonging
28 under the law to the Maine School for the Arts, also known as the
Maine High School for the Arts, intends that no other
30 organization may operate or incorporate using a name that is the
same as, or deceptively similar to, the Maine School for the Arts
32 or the Maine High School for the Arts.

34 **Emergency clause.** In view of the emergency cited in the
preamble, this resolve takes effect when approved.
36

38 **STATEMENT OF FACT**

40 This resolve recognizes the existence of the Maine School
for the Arts, also known as the Maine High School for the Arts,
42 and the benefits and services the school will provide Maine's
people. In so doing, this resolve will ensure the school's right
44 to develop and prosper within its corporate purpose and precludes
the use of a name that is the same or deceptively similar by
46 another organization.