

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 424

H.P. 309

House of Representatives, January 27, 2005

An Act To Exempt Certain Religious, Nonpublic, Postsecondary Institutions from Licensure

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative TARDY of Newport.
Cosponsored by Senator PLOWMAN of Penobscot and
Representatives: CARR of Lincoln, JOY of Crystal, THOMAS of Ripley, Senator: DAVIS of
Piscataquis.

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

4 **Sec. 1. 20-A MRSA §10708, sub-§§2 and 3,** as enacted by PL 1981,
c. 693, §§5 and 8, are amended to read:

6 **2. Federal reservations.** Offer programs or courses which
that are conducted solely on a federal reservation over which the
8 Federal Government has exclusive jurisdiction. The commissioner
shall authorize exempt status under this subsection; and

10 **3. Noncredit courses.** Offer courses or programs which that
12 are not for academic credit.; and

14 **Sec. 2. 20-A MRSA §10708, sub-§4** is enacted to read:

16 **4. Religious, nonpublic, educational institution.** Meet the
following criteria.

18 A. The educational institution must be substantially owned,
20 operated or supported by a bona fide church or religious
organization.

22 B. The educational programs of the educational institution
24 must be primarily designed for, aimed at and attended by
26 persons who seek to learn the particular religious faith or
beliefs of the church or religious organization under
paragraph A.

28 C. The programs under paragraph B must be intended to
30 prepare students to assume leadership positions in, or enter
32 into some other vocation closely related to, the particular
faith of the church or religious organization under
paragraph A.

34 The exemption under this subsection does not apply to any
36 educational institution that represents to any student or
38 prospective student that the major purpose of its program is to
40 prepare the student for a vocation not closely related to the
42 particular religious faith of the educational institution or to
provide the student with a general educational program
substantially equivalent to the educational programs offered by
schools or departments or branches of schools that are not exempt
from this section.

44

46 **SUMMARY**

48 This bill exempts certain religious, private, postsecondary
institutions from State Board of Education licensure requirements.