

MAINE STATE LEGISLATURE

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SMC
R. 018

Date: 5/24/2019

MAJORITY

(Filing No. S-147)

EDUCATION AND CULTURAL AFFAIRS

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

129TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 310, L.D. 1050, Bill, "An Act To Require Education about the Holocaust"

Amend the bill by striking out the title and substituting the following:

'An Act To Require Education about the History of Genocide'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 20-A MRSA §4706, as amended by PL 2009, c. 313, §§8 and 9, is further amended to read:

§4706. Instruction in American history, Maine studies, Maine Native American history and genocide

Instruction in American history, government, citizenship and, Maine studies and the history of genocide must be aligned with the parameters for essential instruction and graduation requirements established under section 6209.

1. American history. American history, government and citizenship, including the Constitution of the United States, the Declaration of Independence, the importance of voting and the privileges and responsibilities of citizenship, must be taught in and required for graduation from all elementary and secondary schools, both public and private.

2. Maine studies. Maine history, including the Constitution of Maine, Maine geography and environment and the natural, industrial and economic resources of Maine and Maine's cultural and ethnic heritage, must be taught. A required component of Maine studies is Maine Native American studies, which must be included in the review of content standards and performance indicators of the learning results conducted in accordance with section 6209, subsection 4. The Maine Native American studies must address the following topics:

- A. Maine tribal governments and political systems and their relationship with local, state, national and international governments;

COMMITTEE AMENDMENT

- 1 B. Maine Native American cultural systems and the experience of Maine tribal
- 2 people throughout history;
- 3 C. Maine Native American territories; and
- 4 D. Maine Native American economic systems.

5 **3. Genocide.** The history of genocide, including the Holocaust, must be taught and
 6 must be included in the review of content standards and performance indicators of the
 7 system of learning results conducted in accordance with section 6209, subsection 4. For
 8 purposes of this subsection, "Holocaust" is the program of discriminatory and genocidal
 9 laws, policies or actions targeted against discrete groups of individuals based on race,
 10 religion, ethnicity, sexual orientation, physical disability or national origin, from January
 11 1, 1933 to December 31, 1945, in Nazi Germany or in any European country allied with
 12 or occupied by Nazi Germany.

13 **Sec. 2. Appropriations and allocations.** The following appropriations and
 14 allocations are made.

15 **EDUCATION, DEPARTMENT OF**

16 **Learning Systems Team Z081**

17 Initiative: Provides one-time funds for the costs associated with the Department of
 18 Education holding meetings with stakeholders to revise the social studies standards.

19	GENERAL FUND	2019-20	2020-21
20	All Other	\$9,000	\$0
21			
22	GENERAL FUND TOTAL	<u>\$9,000</u>	<u>\$0</u>
23			

24 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
 25 section number to read consecutively.

26 **SUMMARY**

27 This amendment replaces the bill. It requires that the history of genocide, including
 28 the Holocaust, to be taught in schools, aligned with the parameters for essential
 29 instruction and graduation requirements and included in the review of content standards
 30 and performance indicators of the system of learning results. It adds an appropriations
 31 and allocations section.

32 The fiscal note on this amendment identifies certain requirements in the amendment
 33 as a potential state mandate. In order to be a mandate pursuant to the Constitution of
 34 Maine, a provision must require a local unit of government to expand or modify its
 35 activities so as to necessitate additional expenditures from local revenue. The committee
 36 finds that the provision in the bill requiring the history of genocide to be taught in

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1 schools, the provision the fiscal note identifies as potentially a mandate, does not create a
2 mandate since the history of genocide relates to topics already required to be taught in
3 schools and so should not cause any school to expand or modify its activities so as to
4 necessitate additional expenditures from local revenue.

5 **FISCAL NOTE REQUIRED**

6 (See attached)



129th MAINE LEGISLATURE

LD 1050

LR 2072(02)

An Act To Require Education about the Holocaust

Fiscal Note for Bill as Amended by Committee Amendment "A" (5-147)

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Fiscal Note

Potential State Mandate - Unfunded

	FY 2019-20	FY 2020-21	Projections FY 2021-22	Projections FY 2022-23
Net Cost (Savings)				
General Fund	\$9,000	\$0	\$0	\$0
Appropriations/Allocations				
General Fund	\$9,000	\$0	\$0	\$0
State Mandates				
Required Activity			Unit Affected	Local Cost
Requires the history of genocide, including the Holocaust, be taught in schools.			School	Moderate statewide

The required local activities in this bill may represent a state mandate pursuant to the Constitution of Maine. If the bill does require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue, the state mandate provisions of the Constitution of Maine require either: (1) General Fund appropriations be provided to fund at least 90% of any additional necessitated local costs of the mandate; or (2) a Mandate Preamble be added to the bill and two-thirds of the members of each House vote to exempt the mandate from the funding requirement. If the bill does represent a state mandate and neither one of these actions occurs, the local units of government will not be required to implement the mandated activities.

Fiscal Detail and Notes

This bill includes a one-time General Fund appropriation of \$9,000 in fiscal year 2019-20 to the Learning Systems program within the Department of Education for the costs associated with holding meetings with stakeholders to revise the social studies standards. The department has indicated that it has just completed a review of the social studies standards and, therefore, has not requested funding in the 2020-2021 biennial budget to conduct another review.