

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
116TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
EDUCATION

MAY 1994

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE**  
**SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE**  
**BILL SUMMARIES**

**MAY 1994**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number, together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

*PUBLIC XXX*

*P&S XXX*

*RESOLVE XXX*

*CON RES XXX*

*EMERGENCY*

*ONTP*

*INDEF PP*

*FAILED ENACTMENT*

*FAILED EMERGENCY ENACTMENT*

*FAILED MANDATE ENACTMENT*

*DIED BETWEEN BODIES*

*CONF CMTE UNABLE TO AGREE*

*VETO SUSTAINED*

*UNSIGNED*

*DIED ON ADJOURNMENT*

*Chapter # of enacted Public Law*

*Chapter # of enacted Private & Special Law*

*Chapter # of enacted Resolve*

*Chapter # of Constitutional Resolution passed by both Houses*

*Enacted law takes effect sooner than 90 days*

*Ought Not to Pass report accepted*

*Bill Indefinitely Postponed*

*Bill failed to get majority vote*

*Emergency bill failed to get 2/3 vote*

*Bill imposing local mandate failed to get 2/3 vote*

*House & Senate disagree; bill died*

*Committee of Conference unable to agree; bill died*

*Legislature failed to override Governor's Veto*

*Not signed by Governor within 10 days*

*Action incomplete when session ended; bill died*

These summaries were prepared by the analyst or analysts assigned to the committee. If you have any suggestions or comments on the summaries, please let us know.

5581LHS

**LD 1889****An Act to Establish the Maine Commission on National Service**

ONTP

**SPONSOR(S)**  
MITCHELL E**COMMITTEE REPORT**  
ONTP**AMENDMENTS ADOPTED****SUMMARY**

On September 21, 1993, the federal National and Community Service Trust Act was enacted to engage citizens in meeting critical needs through direct community-based service. The Act requires that every state wishing to participate in national service initiatives create a bipartisan commission on national and community service or a comparable entity. This bill would have created the Maine Commission on National Service. The State Planning Office is directing the first phase of Maine's participation in the National Service Trust Act. Future legislation will likely be necessary.

**LD 1901 An Act to Clarify the Appropriate Acknowledgement of Religious Holidays in Maine Schools**

PUBLIC 581

**SPONSOR(S)**  
SUMMERS**COMMITTEE REPORT**  
OTP-AM MAJ  
OTP-AM MIN**AMENDMENTS ADOPTED**  
S-459**SUMMARY**

The original bill sought to establish that schools in Maine may observe and celebrate religious holidays but not in a way that promotes or endorses religion or religious doctrine.

COMMITTEE AMENDMENT "A" (S-459) replaces the bill. The amendment establishes that a public school may acknowledge a religious holiday by conveying a message of pluralism and freedom of belief in some manner or form that does not endorse religion. It derives from United States Supreme Court opinions in Allegheny County v. Greater Pittsburgh ACLU, 492 U.S. 573 (1989) and Lee v. Weisman, 505 U.S. \_\_\_, 112 S. Ct. 2649 (1992). Whether the particular acknowledgement of a religious holiday in a public school is constitutional will, under the guidance of the United States Supreme Court opinions, depend upon the context in which the acknowledgement occurs in the school. The context may include, among other things, the symbols used, the physical setting, the fact that the acknowledgment occurs with students and the type of school exercise in which the acknowledgement occurs.

**LD 1917 An Act to Correct the Legal Title to a Building at Southern Maine Technical College**PUBLIC 564  
EMERGENCY**SPONSOR(S)**  
AMERO**COMMITTEE REPORT**  
OTP**AMENDMENTS ADOPTED****SUMMARY**

During the First Regular Session of the 116th Legislature, a provision was inserted in Public Law 1993, chapter 355 to transfer ownership of a building on the campus of Southern Maine Technical College to the Department of Environmental Protection. This bill is being presented jointly by the Governor, the Department of Environmental Protection and the Maine Technical College System to repeal the portion of Public Law 1993, chapter 355 that transferred ownership of the Southern Maine Technical College building to the Department of Environmental Protection. This bill takes effect retroactively to the date that Public Law 1993, chapter 355 took effect.