

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 581

H. P. 475

House of Representatives, February 23, 1977

On motion of Mr. Lynch of Livermore Falls, referred to Committee on Education. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Boudreau of Waterville.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Establish the Maine Student Incentive Scholarship Program.

Emergency preamble. Whereas, Acts passed by the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the people recognize that the opportunity for a higher education for all residents of this State who desire such an education, and are properly qualified therefor, is important to the welfare and security of this State and nation and that the provision of financial assistance in securing such higher education is an important public purpose; and

Whereas, many qualified youth are deterred by financial consideration from securing an adequate education with a consequence of irreparable loss to the State and nation, and the number of qualified persons who desire higher education and could profit therefrom is increasing rapidly and many of them are unable to sustain the financial burden of tuition and other costs of attending either privately or publicly supported institutions; and

Whereas, a system of state scholarships to be awarded to residents of the State which shall enable them to attend qualified institutions of higher education of their choice, whether privately or publicly supported, will, in part, ensure development of the natural talents of our youth to the greatest practicable extent and shall thereby promote the fullest use of all human resources for the ultimate benefit of the State and nation; and

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

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

Sec 1. 20 MRSA c. 305-A is enacted to read:

**CHAPTER 305-A
MAINE STUDENT INCENTIVE SCHOLARSHIP PROGRAM**

§ 2307. Maine Student Incentive Scholarship Program

There is established the Maine Student Incentive Scholarship Program for the benefit of qualified residents of this State which shall be financed by the State and by such other revenues, income, expendable gifts, grants, devises or bequests, or income derived from nonexpendable trusts as may have been made available to the State for the purposes of carrying out the objectives of this chapter, which program shall be administered by the Department of Educational and Cultural Services as hereinafter provided.

§ 2308. Student eligibility

An applicant shall be eligible for consideration for assistance under this chapter when the Department of Educational and Cultural Services finds:

1. Residency. That he is a resident of this State;
2. Qualifications. That he has successfully completed the program of instruction at an approved Maine high school and has met the required academic standards for admission and is enrolled as a full-time undergraduate student in a Maine institution as described in section 2309;
3. Financial resources. That his financial resources, as determined under rules promulgated by the Department of Educational and Cultural Services, are such that in the absence of financial aid, he shall be deterred by financial considerations from completing his education at a Maine institution of higher education;
4. Nondiscrimination. That no applicant's eligibility for nor the award of any aid to any eligible applicant, nor the denial of any award to any eligible applicant shall in any way be influenced by considerations of an applicant's race, creed, sex, color, national origin, ancestry or the political affiliation, or lack of it, of any applicant or of his family or relatives, by blood or law;
5. Application date. That the eligible applicant apply on forms furnished by the Department of Educational and Cultural Services prior to May 1st preceding the academic school year.

§ 2309. Institutional eligibility

A person entitled to an award shall not be restricted as to choice of the college which he desires to attend or the course of study which he proposes to pursue; provided that no such award shall include professional instruction in theology, or in any graduate courses following the receiving of a bachelor's degree; and provided that the college selected by the person entitled to such an award is situated within the State and is incorporated and authorized under the laws of this State and the rules of the State Board of Education to confer degrees. The term "college" as used in this section includes universities, pro-

fessional and technical schools and other institutions for higher education authorized to confer degrees, requiring 2 or 4 years of undergraduate study to obtain a degree and approved by the State Board of Education; also public vocational schools, provided the person entitled to the award pursues a course therein approved by the Commissioner of Educational and Cultural Services.

§ 2310. Responsibilities of the Department of Educational and Cultural Services

1. Notification of award. Each recipient shall receive a voucher showing the individual's name and the amount of the award, once a determination has been made by the Department of Educational and Cultural Services of his eligibility.

2. Award payments. Payment of the awards shall be made on behalf of an award holder in each term for that portion of the annual award which is determined by dividing the annual award by the number of terms regularly constituting the academic year in the institution which the student is attending. Payments shall be made for each term only after the institution has confirmed to the Commissioner of Educational and Cultural Services in writing the enrollment of the holder for that term. If a person receiving an award shall fail to comply with the rules and regulations promulgated by the Department of Educational and Cultural Services in respect to the use of such award, or shall fail to attain the minimum level of achievement prescribed by the department for the retention of such award, or shall fail to show continued financial need, he shall not thereafter be entitled to further payment or benefits under this chapter.

3. Financial need. In determining financial need, the department is authorized to utilize the services of nationally accepted examination boards, college scholarship service, CSS, or American college testing, ACT.

4. Rules and regulations. The department, acting through its commissioner and the duly qualified personnel in that department, shall distribute funds and carry out the necessary administrative duties and prescribe rules and regulations to carry out this chapter.

Sec. 2. Appropriation. There is appropriated from the General Fund to the Department of Educational and Cultural Services the sum of \$1,500,000 to provide a pilot program, by setting up the Maine Student Incentive Scholarship Program, for high school graduates to have the opportunity to attend a Maine post-secondary educational institution of their choice. The breakdown shall be as follows:

1977-78

EDUCATIONAL AND CULTURAL SERVICES,
DEPARTMENT OF

Personal Services	(3) \$ 60,000
All Other	1,440,000
	<hr/>
	\$1,500,000

Emergency clause. In view of the emergency cited in the preamble, this Act shall be retroactive to February 1, 1977.

STATEMENT OF FACT

This proposed legislation is intended to aid financially high school graduates who have demonstrated scholastic ability by meeting the required standards for admission to a Maine post-secondary educational institution of their choice, many of whom are unable to sustain the financial burden of attending either a privately or publicly supported post-secondary educational institution. The program would fund approximately 800 students each year and the awards will vary according to need, but average around \$1,800. These students would have their choice of any approved school in Maine, either private, public, proprietary or vocational. Students would apply prior to May 1st of the academic year to the Department of Educational and Cultural Services, and would receive a voucher identifying the amount of the award and the institution they plan to attend.