

MAINE STATE LEGISLATURE

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(EMERGENCY)
THIRD SPECIAL SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 2688

H.P. 1985 House of Representatives, September 13, 1988
Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 26.

Received by the Clerk of the House on September 12,
1988. Referred to the Committee on Education and ordered
printed pursuant to Joint Rule 14.

EDWIN H. PERT, Clerk
Presented by Representative DIAMOND of Bangor.

Cosponsored by Senators CLARK of Cumberland, ESTES of
York and Representative BOST of Orono.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

1 AN ACT to Amend the Maine Student
2 Educational Enhancement Deposit Program.
3

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

7 Whereas, college tuition prepayment plans have
8 been adopted by several states as a way to assist
9 parents and others to better plan for the expense of a

1 post-secondary education; and

2 Whereas, at least one state has implemented its
3 college tuition prepayment plan, providing a model for
4 other states to follow; and

5 Whereas, the Maine Legislature created the Student
6 Educational Enhancement Deposit Plan, or SEED Plan, to
7 serve as a college tuition prepayment plan for Maine
8 students, their families and others; and

9 Whereas, the SEED Plan was determined by the
10 Legislature to be an appropriate response to the needs
11 of Maine people for greater preparedness in planning
12 for the cost of post-secondary education; and

13 Whereas, considerable public attention has been
14 given to the SEED Plan and the promise it offers,
15 through its adoption in 1987, of an alternative
16 funding option for those concerned about the cost of
17 post-secondary education; and

18 Whereas, the Board of Trustees of the SEED Plan
19 have indicated that the original law as drafted has
20 made it difficult for them fully to develop a
21 prepayment plan that meets the intent of the
22 Legislature; and

23 Whereas, the Board of Trustees has said it will
24 not take further action unless and until further
25 direction is provided by the Legislature; and

26 Whereas, the Legislature must clarify its
27 expectations of the Board of Trustees and the
28 Department of Educational and Cultural Services in
29 order to make sure the intent of the original SEED
30 legislation is respected; and

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

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

3 20-A MRSA §12611-A is enacted to read:

4 §12611-A. Amendments; alternative plans

5 1. Amendments to chapter. If the board
6 determines that amendments to the chapter are
7 necessary in order to enhance the options available to
8 Maine families for affordable and predictable
9 financing of post-secondary education, it may propose
10 the necessary legislation to the Legislative Council
11 for consideration in any session of the Legislature.

12 2. Alternate plans. Nothing prohibits the board
13 from developing alternative post-secondary financing
14 plans different from the prepaid tuition plan provided
15 in this chapter. Any such alternative plans shall be
16 promulgated in accordance with the Maine
17 Administrative Procedure Act, Title 5, chapter 375 and
18 shall be submitted to the joint standing committee of
19 the Legislature having jurisdiction over education for
20 review.

21 Emergency clause. In view of the emergency
22 cited in the preamble, this Act shall take effect when
23 approved.

24 STATEMENT OF FACT

25 The purpose of this bill is to further the intent
26 of the Legislature to provide affordable and
27 predictable post-secondary education financing for
28 more families. The bill specifically authorizes the
29 board of the Student Educational Enhancement Deposit
30 Plan to propose any necessary amendments to the
31 current SEED law to the Legislative Council. The bill
32 also allows the board to develop alternative financing
33 plans through its rulemaking authority with review by
34 the Joint Standing Committee on Education.

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