

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 147

H.P. 136

House of Representatives, January 16, 2001

### **An Act to Protect the Academic Integrity of Maine's Institutions of Higher Learning.**

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

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

Presented by Representative MENDROS of Lewiston.  
Cosponsored by Senator DAVIS of Piscataquis and  
Representatives: DUDLEY of Portland, MATTHEWS of Winslow, McKENNEY of  
Cumberland, MICHAEL of Auburn, QUINT of Portland, Senators: LEMONT of York,  
SAVAGE of Knox.

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

Sec. 1. 20-A MRSA §10502, as enacted by PL 1981, c. 693, §§5 and 8, is repealed and the following enacted in its place:

**§10502. Duties**

**1. Plans; rules.** The Maine State Commission for Higher Education Facilities may establish plans and rules or amend existing plans and rules in accordance with the United States Higher Education Facilities Act of 1963, Public Law 77-204, as amended by Public Law 89-752, Section 3, and requirements of the Federal Government established under that act, as amended. It may also accept and disburse all moneys in accordance with that act.

**2. Funding other than appropriations.** Funding from sources other than state appropriations may not be credited to the General Fund. The Treasurer of State shall create a separate fund for the Maine State Commission for Higher Education Facilities and deposit funds from other sources in that account. The Treasurer of State shall pay out funds from that separate fund upon order of the commission without the necessity of appropriation by the Legislature.

The commission shall ensure that state colleges and universities have a structure in place by January 1, 2002 to prohibit the colleges and universities from accepting funds that would interfere with or otherwise restrict academic freedom at the state colleges and universities. This subsection may not be construed in such a way as to prohibit a donor from earmarking funds for a particular purpose or use, including, but not limited to, research, scholarships, construction or development.

**SUMMARY**

This bill prohibits the Maine State Commission for Higher Education Facilities from accepting funds from any source that would place conditions or restrictions on the use of funds in such a way as to interfere with or otherwise restrict the academic freedoms of state colleges and universities.