

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1553

H.P. 1150

House of Representatives, March 8, 2001

An Act to Provide Funding for Education.

(EMERGENCY)

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative GOODWIN of Pembroke.
Cosponsored by Representatives: BUNKER of Kossuth Township, DAVIS of Falmouth,
DESMOND of Mapleton, DUGAY of Cherryfield, MENDROS of Lewiston, MICHAEL of
Auburn, Senator: SHOREY of Washington.

2 A grant for an eligible program of study may be given only
3 to a resident of the State who:

4 1. Graduated. Has graduated from an approved secondary
5 school or matriculated at a postsecondary school prior to high
6 school graduation or has successfully completed a general
7 educational development examination or its equivalent;

8 2. Accepted as undergraduate. Has been accepted for
9 enrollment as an undergraduate or is in good standing as an
10 undergraduate at an institution of higher education in an
11 eligible program of study and has not received a previous
12 baccalaureate degree;

13 3. Applied for grant. Has applied for a postsecondary
14 enrollment grant according to schedules and procedures and on
15 forms developed by the authority;

16 4. State residency requirements. Meets any state residency
17 requirements that may be established by rules adopted by the
18 authority in accordance with Title 5, chapter 375, subchapter
19 II-A. Rules adopted pursuant to this subsection are routine
20 technical rules as defined in Title 5, chapter 375, subchapter
21 II-A.

22 **§11723. Determination of grants**

23 A grant to a student who is eligible under section 11722
24 must be determined as follows.

25 1. Award amounts. A grant awarded under this chapter,
26 except as provided in subsections 2 to 4, may not be less than:

27 A. Two thousand dollars for a student attending an
28 institution of higher education within the State and
29 enrolled in an associate degree program; or

30 B. Four thousand dollars for a student attending an
31 institution of higher education within the State and
32 enrolled in a baccalaureate degree program.

33 2. Prorated grants. A grant recipient under this chapter
34 whose course load is reduced from full time must receive a grant
35 prorated for that recipient's part-time course load during the
36 recipient's part-time enrollment.

37 3. Withdrawal. If a recipient of a grant under this
38 chapter withdraws from an institution of higher education and the
39 student is entitled to a refund of tuition, fees or other
40 charges,

2 charges, the institution shall make a refund payment directly to
3 the authority in accordance with the institution's refund policy.

4 4. Part-time students. The authority may allocate up to
5 25% of the postsecondary enrollment grants available under this
6 chapter to part-time students who are eligible under section
7 11722. The authority shall establish eligibility criteria for
8 part-time students by rulemaking pursuant to the Maine
9 Administrative Procedure Act. Rules adopted pursuant to this
10 subsection are routine technical rules as defined in Title 5,
11 chapter 375, subchapter II-A.

12 **§11724. Length of grant; period of study**

13
14
15 1. Length of grant. A grant may be for a period not to
16 exceed one academic year. A student may apply for a new grant
17 for each year of study during the period required for completion
18 of an eligible program of study being pursued by that student. A
19 grant recipient who remains eligible under section 11722 must be
20 considered in the succeeding award year.

21
22 2. Period of study. A student eligible under section 11722
23 enrolled in an associate degree program may receive a grant for a
24 period not to exceed 4 semesters or its equivalent for a
25 full-time student or 8 semesters or 60 credit hours, whichever is
26 completed first, for a part-time student. An eligible student
27 enrolled in a baccalaureate degree program may receive a grant
28 for a period not to exceed 8 semesters or its equivalent for a
29 full-time student or 16 semesters or 120 credit hours, whichever
30 is completed first, for a part-time student.

31
32 **§11725. Program administration**

33
34 1. Responsibility of authority. The authority shall
35 administer the grant program under this chapter, including
36 establishing and maintaining fund accounting and control
37 procedures as required by state law or as necessary for the State
38 to be eligible to receive federal assistance under the Federal
39 Student Assistance Program, Higher Education Act of 1965, Title
40 IV, Part A, Subpart 3, as amended, 20 United States Code,
41 Sections 1070c-1, 1070c-2 and 1070c-3.

42
43 2. Guidelines and rules. The following provisions apply to
44 the program under subsection 1.

45
46 A. The authority shall develop rules, procedures, schedules
47 and forms necessary to carry out the purposes of the program
48 under subsection 1.

2 B. To the maximum extent possible consistent with the need
3 for state control of the program under subsection 1, the
4 authority shall use the guidelines, rules, regulations,
5 procedures, forms and schedules set forth by the United
6 States Secretary of Education for the administration of the
7 Federal Student Assistance Program, Higher Education Act of
8 1965, Title IV, Part A, Subpart 1, as amended, 20 United
9 States Code, Section 1070c.

10 **§11726. Nonlapsing fund**

12 Any unexpended funds appropriated by the Legislature to the
13 authority to carry out the purposes of the program under section
14 11725, subsection 1 do not lapse but must be carried forward by
15 the authority for continued use in the program.

16 **Sec. 2. 20-A MRSA §15603, sub-§26-A, ¶F,** as amended by PL
17 1999, c. 401, Pt. GG, §2, is repealed.

18 **Sec. 3. 20-A MRSA §15613, sub-§17,** as enacted by PL 1997, c.
19 395, Pt. R, §1, is amended to read:

20 **17. Unobligated balances.** Unobligated balances from
21 amounts appropriated for general purpose aid for local schools
22 may not lapse but must be redistributed to school administrative
23 units in the same fiscal year. The commissioner shall make the
24 final determination of the total amount of unobligated funds and
25 must redistribute 75% of those funds to program costs and 25% of
26 those funds to out-of-district placement costs. ~~To redistribute~~
27 ~~the 75% portion to the state share of program costs, the~~
28 ~~reduction percentage originally calculated for program costs~~
29 ~~pursuant to section 15603, subsection 26-A, paragraph F must be~~
30 ~~reduced by an amount sufficient to distribute the 75% share. The~~
31 ~~reductions in those percentages apply to all program cost areas~~
32 ~~except the transportation operating cost allocation.~~

33 **Sec. 4. 20-A MRSA §15653, sub-§1,** as amended by PL 1999, c.
34 731, Pt. D, §2, is further amended to read:

35 **1. Per pupil guarantee.** The Legislature shall annually
36 establish a per pupil guarantee. For fiscal year 1999-00, the
37 per pupil guarantee is \$4,020 and, for fiscal year 2000-01, the
38 per pupil guarantee is \$4,307. In the subsequent 2 fiscal years,
39 it is the intent of the Legislature to achieve the per pupil
40 guarantee targets established in this subsection.

41 **B.** For fiscal year 2001-02 the per pupil guarantee target
42 is \$4,687.

2 C. For fiscal year 2002-03 the per pupil guarantee target
is \$5,204.

4 The intent of the Legislature is to achieve a per pupil guarantee
that matches projected spending in fiscal year 2002-03.
6 ~~Beginning in fiscal year 2001-02, if the appropriation and any
increase in the mill rate determined by the Legislature to be
8 needed under this section are not sufficient to achieve both the
targeted reduction percentage in section 15603, subsection 26-A,
10 paragraph F and the targeted per pupil guarantee, then the per
pupil guarantee must advance toward the targeted per pupil
12 guarantee in the same proportion as the reduction percentage is
lowered toward the targeted reduction percentage.~~

14 **Sec. 5. Essential programs and services model; implementation.**
16 The Legislature shall review the plan proposed by the State Board
of Education for implementing a new school funding formula based
18 on the Essential Programs and Services model developed by the
State Board of Education's Essential Programs and Services
20 Committee pursuant to Public Law 1999, chapter 401, Part GG,
section 11. Beginning October 1, 2001, the Joint Standing
22 Committee on Education and Cultural Affairs shall review the plan
proposed by the State Board of Education and may introduce
24 legislation during the Second Regular Session of the 120th
Legislature to replace the current school funding formula, found
26 in the Maine Revised Statutes, Title 20-A, chapters 606 and
606-A, with a new method for funding kindergarten-to-grade-12
28 public education based on the Essential Programs and Services
model. The new school funding formula based on the Essential
30 Programs and Services model must be implemented no later than the
legislative biennium that corresponds to fiscal year 2005-06 and
32 fiscal year 2006-07.

34 **Sec. 6. Appropriation.** The following funds are appropriated
from the General Fund to carry out the purposes of this Act.

36 2000-01

38 **EDUCATION, DEPARTMENT OF**
40 **General Purpose Aid for Local Schools**

42 All Other \$139,656,122
44
46 Provides funds to fully fund 55% of the cost
of the total allocation in fiscal year
2000-01
48

