

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2010

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Legislative Document

No. 1521

H.P. 1070

House of Representatives, December 18, 2009

**An Act To Clarify the State's Initiative Involving the Federal Post-9/11 Veterans Educational Assistance Act of 2008**

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 16, 2009. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

*Millicent M. MacFarland*

MILLCENT M. MacFARLAND

Clerk

Presented by Representative CORNELL du HOUX of Brunswick.

1           **Emergency preamble.** Whereas, acts and resolves of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3           **Whereas,** Public Law 2009, chapter 443 established a waiver of the tuition charges  
4 remaining for veterans who are using benefits under the federal Post-9/11 Veterans  
5 Educational Assistance Act of 2008 and who are enrolled as undergraduate students at  
6 any campus of the University of Maine System, the Maine Community College System  
7 and Maine Maritime Academy; and

8           **Whereas,** the legislative intent of Public Law 2009, chapter 443 was to establish a  
9 waiver of the tuition charges for eligible veterans in a manner that also provided the  
10 opportunity for the University of Maine System, the Maine Community College System  
11 and Maine Maritime Academy to receive the maximum possible funding from the federal  
12 Department of Veterans Affairs; and

13           **Whereas,** an unintended consequence of the provisions established by Public Law  
14 2009, chapter 443 is that campuses of the University of Maine System, the Maine  
15 Community College System and Maine Maritime Academy would receive, in some cases,  
16 less than the in-state tuition rates that they charge to eligible veterans enrolled as  
17 undergraduate students; and

18           **Whereas,** immediate enactment of this legislation is necessary to prevent a  
19 significant and adverse fiscal impact for the campuses of the University of Maine System,  
20 the Maine Community College System and Maine Maritime Academy; and

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

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

26           **Sec. 1. 20-A MRSA §10010,** as enacted by PL 2009, c. 443, §1, is amended to  
27 read:

28           **§10010. Veterans**

29           Regardless of the state of residence, a veteran of the Armed Forces of the United  
30 States using the benefits under the Post-9/11 Veterans Educational Assistance Act of  
31 2008 must receive a waiver from the tuition that remains after the application of all  
32 payments from the federal Department of Veterans Affairs, including payments under the  
33 Yellow Ribbon G.I. Education Enhancement Program in the Post-9/11 Veterans  
34 Educational Assistance Act of 2008, and the application of other nonrepayable resources  
35 for which the veteran may be eligible. The amount of the tuition waiver received by a  
36 veteran under this section may not exceed an amount that lowers the tuition to less than  
37 the in-state tuition charged by the institution. This section applies to all veterans enrolled  
38 at any campus of the University of Maine System, the Maine Community College System  
39 or Maine Maritime Academy in an undergraduate program of education.

