

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 250

H.P. 203

House of Representatives, February 1, 2011

An Act To Permit Tuition Subsidies by Municipalities

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative VOLK of Scarborough.
Cosponsored by Senator MASON of Androscoggin and
Representatives: CEBRA of Naples, DUNPHY of Embden, ESPLING of New Gloucester,
HANLEY of Gardiner, MAKER of Calais, MALABY of Hancock, McCLELLAN of
Raymond.

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

2 **Sec. 1. 30-A MRSA §2110** is enacted to read:

3 **§2110. Subsidies by municipalities**

4 A municipality may, if it passes a resolution to do so, provide subsidies from its
5 general fund to parents of students who attend private schools precluded from receiving
6 public funds under Title 20-A, section 2951 to reimburse those parents for part or all of
7 tuition.

8 **SUMMARY**

9 This bill allows municipalities to give subsidies from their general funds to parents to
10 reimburse them for part or all of the tuition the parents paid to private schools that are
11 precluded from receiving tuition funding from the State.

12 In Joyce v. State of Maine, 951 A.2d 69 (Me. 2008), the Law Court essentially
13 acknowledged that it would be constitutionally permissible for municipalities to adopt
14 such subsidy programs, but held that current Maine law, the Maine Revised Statutes, Title
15 20-A, section 2951, prohibits municipalities from doing so.