

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

SECOND REGULAR SESSION-2022

Legislative Document

No. 1789

S.P. 627

In Senate, December 9, 2021

**An Act To Modernize Funding of Publicly Funded Tuition Students
Attending Career and Technical Education Programs**

(EMERGENCY)

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

Received by the Secretary of the Senate on December 7, 2021. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator MAXMIN of Lincoln.

Cosponsored by Representative O'NEIL of Saco and

Senators: BAILEY of York, BALDACCI of Penobscot, Representatives: CRAFTS of
Newcastle, SAMPSON of Alfred.

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,** schools receiving tuition students who are enrolled in career and technical
4 education programs are already experiencing undue financial burdens; and

5 **Whereas,** in the absence of this legislation, schools receiving tuition students who are
6 enrolled in career and technical education programs will be on the brink of financial
7 hardship; and

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

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

13 **Sec. 1. 20-A MRSA §3253-A, sub-§3,** as repealed and replaced by PL 2007, c.
14 424, §2, is amended to read:

15 **3. Tuition.** Notwithstanding section 5805, subsection 2 ~~and section 5809,~~ the
16 commissioner shall pay tuition for each tuition student in an amount equal to the official
17 tuition rate approved pursuant to section 5805, subsection 1 for the receiving school for
18 nonresident students enrolled in secondary schools or special education or career and
19 technical education programs as long as the student maintains a satisfactory standard of
20 deportment and scholarship. The commissioner shall pay tuition for each tuition student
21 in an amount equal to the official tuition rate approved pursuant to section 7302 for the
22 receiving school for nonresident students enrolled in special education programs, as long
23 as the student maintains a satisfactory standard of deportment and scholarship.

24 **Sec. 2. 20-A MRSA §5809,** as amended by PL 2017, c. 420, §1, is repealed.

25 **Sec. 3. 20-A MRSA §8404, sub-§5** is enacted to read:

26 **5. Schools approved for tuition purposes.** Beginning in the 2022-2023 school year
27 and after receiving the state share of the essential programs and services allocation for the
28 school pursuant to chapter 606-B, each school approved for tuition purposes shall
29 contribute toward the costs of the center serving the school, on a pro rata share based on
30 the number of students attending the center, in accordance with an agreement to share costs
31 to be adopted by the center advisory committee and the schools served by the center.

32 **Sec. 4. 20-A MRSA §8457, sub-§6** is enacted to read:

33 **6. Schools approved for tuition purposes.** Beginning in the 2022-2023 school year
34 and after receiving the state share of the essential programs and services allocation for the
35 school pursuant to chapter 606-B, each school approved for tuition purposes shall
36 contribute toward the costs of the region serving the school, on a pro rata share based on
37 the number of students attending the region, in accordance with a cost-sharing agreement
38 to be adopted by the cooperative board and the schools served by the region.

39 **Emergency clause.** In view of the emergency cited in the preamble, this legislation
40 takes effect when approved.

1 **SUMMARY**

2 Under current law, a school that receives publicly funded tuition students who are
3 enrolled in regular school day career and technical education programs at career and
4 technical education centers, satellites or regions may charge a tuition rate of only up to 2/3
5 of the maximum tuition rate. This bill removes this limitation on schools approved for
6 tuition purposes. This bill then directs each school approved for tuition purposes to enter
7 into an agreement for the purpose of determining that school's per-pupil contribution
8 toward the costs of the career and technical education center or region serving that school.