MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1718

H.P. 1107

House of Representatives, April 18, 2023

An Act to Encourage Participation in Maine's Essential Support Workforce Through Access to Higher Education

(EMERGENCY)

Reference to the Committee on Innovation, Development, Economic Advancement and Business suggested and ordered printed.

ROBERT B. HUNT

R(+ B. Hunt

Clerk

Presented by Representative MEYER of Eliot.
Cosponsored by Senator DAUGHTRY of Cumberland and
Representatives: BRENNAN of Portland, CLOUTIER of Lewiston, FAY of Raymond,
GATTINE of Westbrook, TERRY of Gorham.

1 2	Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and
3 4 5	Whereas, Maine is experiencing an unprecedented, severe and persistent shortage of essential support workers needed to care for and support older people, people with physical and intellectual disabilities and people with behavioral health challenges; and
6 7	Whereas, Maine people in all settings who are entitled to care and support are unable to secure the care and support they need due to this workforce shortage; and
8 9 10	Whereas, older people, people with physical and intellectual disabilities and people with behavioral health challenges are being harmed by being unable to receive the care and support they need; and
11 12	Whereas, hundreds of people each week are living in hospitals because of this workforce shortage, taking beds that are critically needed for other patients; and
13 14 15	Whereas, this workforce shortage continues to grow despite state agencies and the Legislature taking many critical steps to increase wages and attract workers to these jobs; and
16 17 18	Whereas, it is essential to create additional incentives for workers to choose these jobs and remain in them before the date that nonemergency legislation becomes effective for this Legislature; and
19 20 21 22	Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,
23	Be it enacted by the People of the State of Maine as follows:
24	Sec. 1. 10 MRSA c. 110, sub-c. 15 is enacted to read:
25	SUBCHAPTER 15
26	ESSENTIAL SUPPORT WORKER TUITION GRANT PROGRAM AND FUND
27	§1100-HH. Definitions
28 29	As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.
30 31	1. Eligible person. "Eligible person" means a person eligible to use an education voucher under this chapter, including:
32	A. An eligible worker;
33	B. An eligible worker's spouse or domestic partner;
34	C. An eligible worker's biological or adopted child; or
35	D. An eligible worker's grandchild.

3 College System or the Maine Maritime Academy. 4 **3. Eligible worker.** "Eligible worker" means an essential support worker who: 5 A. Is a Maine resident: 6 B. Currently works as an essential support worker; and 7 C. Has worked at least 30 hours per week as an essential support worker in the State 8 for one year or more. 9 **4. Essential support worker.** "Essential support worker" has the same meaning as in Title 22, section 7401, subsection 3. 10 11 **5. Fund.** "Fund" means the Essential Support Worker Tuition Grant Fund under section 12 1100-JJ. 13 **6. Participating employer.** "Participating employer" means a person who: 14 A. Provides essential support services in in-home, community or institutional settings 15 reimbursed by the Department of Health and Human Services under the MaineCare program or another state-funded program; 16 17 B. Employs an essential support worker; and 18 C. Registers as a participating employer with the authority. 19 7. Program. "Program" means the Essential Support Worker Tuition Grant Program 20 under section 1100-II. 21 §1100-II. Essential Support Worker Tuition Grant Program 22 1. Essential Support Worker Tuition Grant Program established. The Essential 23 Support Worker Tuition Grant Program is established. The authority shall administer the 24 program. The program provides to an eligible worker or a member of the eligible worker's 25 family who qualifies as an eligible person an education voucher up to the amount of one 26 year's tuition to an eligible postsecondary educational institution for each year the eligible 27 worker works as an essential support worker, up to 4 years. 28 **2. Program criteria.** The program criteria are as follows: 29 A. An employer of an eligible worker must apply to the authority for approval to 30 become a participating employer; 31 B. A participating employer must provide certification that the eligible worker worked as an essential support worker for the employer at least 30 hours per week for one year; 32 33 C. The eligible person using the education voucher completes an application for federal 34 student financial aid programs for which the person may be eligible for the academic year for which the person applies, and the person must accept all available federal and 35 36 state grants and scholarships, including from a federal Pell Grant or any other merit-37 based or needs-based grant or scholarship and other sources of funding; 38 D. The value of the education voucher amount is limited to the amount of the cost of 39 tuition at an eligible postsecondary educational institution, less any financial aid

2. Eligible postsecondary educational institution. "Eligible postsecondary

educational institution" means the University of Maine System, the Maine Community

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- received under paragraph C, not including a grant awarded under this subsection, that 1 2 the eligible person is not required to repay; 3
- E. The total value of an education voucher is capped at \$4,000;
- 4 F. An education voucher is good for up to 5 years after it is awarded;
- G. An eligible worker may earn up to 4 education vouchers total and the vouchers do 5 not have to be earned in successive years; 6
- 7 H. Education vouchers may be combined for use in one year to cover a higher cost of tuition at an eligible postsecondary educational institution; and 8
 - I. A participating employer or eligible person who does not comply with the terms of the program may be required to repay the amount of any education voucher granted or may be prohibited from future participation in the program.

§1100-JJ. Essential Support Worker Tuition Grant Fund

The Essential Support Worker Tuition Grant Fund is created as a nonlapsing, interestearning, revolving fund to carry out the purposes of this chapter. The fund must be deposited with and maintained and administered by the authority. Any unexpended balance in the fund carries over for continued use under this chapter. The authority may receive, invest and expend on behalf of the fund money from gifts, grants, bequests, loans and donations in addition to money appropriated or allocated by the State. The fund may not exceed \$8,000,000, although it still may receive gifts, grants, bequests, loans, donations and interest income. Money received by the authority on behalf of the fund, except interest income, must be used for the purposes of this chapter; interest income may be used for the purposes of this chapter or to pay administrative costs incurred by the authority, as determined appropriate by the authority. Costs and expenses of maintaining, servicing and administering the fund and administering the program may be paid out of amounts in the fund.

§1100-KK. Rules

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The authority may adopt rules to carry out the purposes of this chapter. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

FINANCE AUTHORITY OF MAINE

Essential Support Worker Tuition Grant Fund N440

34 Initiative: Provides ongoing funds to support the Essential Support Worker Tuition Grant 35 Program to provide education vouchers to eligible workers or to a member of the eligible 36 worker's family.

37	GENERAL FUND	2023-24	2024-25
38	All Other	\$60,000	\$500,000
39 40	CENEDAL FUND TOTAL	<u> </u>	<u> </u>
40	GENERAL FUND TOTAL	\$60,000	\$500,000

1	Emergency clause. In view of the emergency cited in the preamble, this legislation	on
2	takes effect when approved.	

3 SUMMARY

This bill creates the Essential Support Worker Tuition Grant Program to provide up to 4 education vouchers equal to a year's tuition up to \$4,000 at the University of Maine System, Maine Community College System or Maine Maritime Academy for an essential support worker employed in in-home or community support services reimbursed by the MaineCare program or another state program or a family member of the essential support worker.