

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

Date: 4/1/24

MAJORITY

EDUCATION AND CULTURAL AFFAIRS

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

131ST LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 885, L.D. 2092, "An Act to Equalize Funding for the Maine Maritime Academy"

Amend the bill by striking out the title and substituting the following:

'An Act Regarding Public Higher Education Funding in the State'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 20-A MRSA §10017 is enacted to read:

§10017. Mandated legislative appropriations for Maine Maritime Academy

Beginning in fiscal year 2024-25 and each fiscal year thereafter, the Legislature shall increase the percentage of the Maine Maritime Academy's total state appropriation as a share of its total operating costs by 5% until the percentage of the total state appropriation as a share of the Maine Maritime Academy's total operating costs equals at least the lesser of:

1. University of Maine System appropriations. The percentage of the University of Maine System's total state appropriation as a share of its total operating costs; and

2. Maine Community College System appropriations. The percentage of the Maine Community College System's total state appropriation as a share of its total operating costs.

The University of Maine System, the Maine Community College System and the Maine Maritime Academy shall each submit to the Governor and to the Legislature a report by December 1st annually that contains its most recent total operating costs.

Sec. 2. Commission established. The Commission to Study the Funding of Institutions of Higher Education, referred to in this section as "the commission," is established.

1. Notwithstanding Joint Rule 353, the commission consists of 17 members, including:

COMMITTEE AMENDMENT

ROS

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41

- A. Two members of the Senate, appointed by the President of the Senate, who serve on the Joint Standing Committee on Education and Cultural Affairs, including one member of the party holding the largest number of seats in the Legislature and one member of the party holding the 2nd largest number of seats in the Legislature;
  - B. Three members of the House of Representatives, appointed by the Speaker of the House, who serve on the Joint Standing Committee on Education and Cultural Affairs, including 2 members of the party holding the largest number of seats in the Legislature and one member of the party holding the 2nd largest number of seats in the Legislature;
  - C. One member with expertise in higher education policy issues representing a statewide education policy research institute, appointed by the President of the Senate;
  - D. One member who is a representative of a union representing the faculty of the Maine Community College System, appointed by the President of the Senate;
  - E. One member representing the certification and higher education committee of the State Board of Education, appointed by the President of the Senate;
  - F. One member who is employed as a faculty member at a private college or university in the State, appointed by the President of the Senate;
  - G. One member who is a representative of a union representing the faculty of the University of Maine System, appointed by the Speaker of the House;
  - H. One member who is a representative of a union representing the faculty of the Maine Maritime Academy, appointed by the Speaker of the House;
  - I. One member representing private colleges and universities in the State, appointed by the Speaker of the House;
  - J. One member who is currently enrolled as a student at a college or university in the State, appointed by the Speaker of the House;
  - K. The Chancellor of the University of Maine System or the chancellor's designee;
  - L. The President of the Maine Community College System or the president's designee;
  - M. The President of the Maine Maritime Academy or the president's designee; and
  - N. The Commissioner of Education or the commissioner's designee.
- In appointing members of the commission, the appointing authorities shall give consideration to race, gender, socioeconomic diversity and geographic diversity.
2. The first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission.
3. All appointments must be made no later than 30 days following the effective date of this Act. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this Act a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business.
4. The commission shall review all related laws and rules addressing the State's public policy on higher education, including but not limited to the Maine Revised Statutes, Title

## COMMITTEE AMENDMENT

1 20-A, section 10902, and the methods and mechanisms by which public higher education  
 2 institutions in the State are funded and make recommendations for potential legislative  
 3 changes.

4 In conducting its review, the commission shall analyze present and future goals, including  
 5 but not limited to expanding access to affordable high-quality higher education to help  
 6 students achieve postsecondary success in the 21st century. The commission shall also  
 7 analyze present and past funding methods and mechanisms used in the State to determine  
 8 the State's portion of funding for the University of Maine System, the Maine Community  
 9 College System and the Maine Maritime Academy, as well as funding mechanisms used  
 10 by other states to fund public higher education.

11 To assist the commission in carrying out its review, the Department of Education, the  
 12 University of Maine System, the Maine Community College System and the Maine  
 13 Maritime Academy each shall provide to the commission any data and information the  
 14 commission requests and considers relevant to its work.

15 At the discretion of the chairs, the commission may seek input from students, faculty and  
 16 staff in the State's public institutions of higher education, groups that have an interest in the  
 17 State's public institutions of higher education and other stakeholders.

18 5. The Legislative Council shall provide necessary staffing services to the commission,  
 19 except that Legislative Council staff support is not authorized when the Legislature is in  
 20 regular or special session.

21 6. No later than November 6, 2024, the commission shall submit a report that includes  
 22 its findings and recommendations, including suggested legislation, to the Joint Standing  
 23 Committee on Education and Cultural Affairs. The joint standing committee may report out  
 24 out a bill related to the report to the 132nd Legislature in 2025.

25 **Sec. 3. Appropriations and allocations.** The following appropriations and  
 26 allocations are made.

27 **COMMUNITY COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE**

28 **Maritime Academy - Operations 0035**

29 Initiative: Provides ongoing funds to increase the percentage of the Maine Maritime  
 30 Academy's total state appropriation as a share of its total operating costs by 5% until the  
 31 percentage of the total state appropriation as a share of the Maine Maritime Academy's total  
 32 operating costs equals at least the lesser of the percentage of the University of Maine  
 33 System's and the Maine Community College System's total state appropriation compared  
 34 to each respective system's total operating costs.

35 GENERAL FUND	2023-24	2024-25
36 All Other	\$0	\$2,618,835
37		
38 GENERAL FUND TOTAL	\$0	\$2,618,835

39  
 40 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
 41 number to read consecutively.

ROS

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15

**SUMMARY**

This amendment, which is the majority report of the committee, replaces the bill and changes the title. The amendment provides that, beginning in fiscal year 2024-25 and each fiscal year thereafter, the Legislature must increase the percentage of the Maine Maritime Academy's total state appropriation as a share of its total operating costs by 5% until the percentage of the Maine Maritime Academy's total state appropriation as a share of the academy's total operating costs equals at least the lesser of the percentages of the University of Maine System's and the Maine Community College System's total state appropriation as a share of each respective system's total operating costs. The amendment also establishes the Commission to Study the Funding of Institutions of Higher Education to review past, present and alternative methods and mechanisms of funding public higher education. The commission is required to submit a report based on its findings to the Joint Standing Committee on Education and Cultural Affairs by November 6, 2024.

**FISCAL NOTE REQUIRED**

(See attached)



# 131st MAINE LEGISLATURE

LD 2092

LR 2800(02)

## An Act to Equalize Funding for the Maine Maritime Academy

Fiscal Note for Bill as Amended by Committee Amendment *'A's (leda)*  
 Committee: Education and Cultural Affairs  
 Fiscal Note Required: Yes

### Fiscal Note

#### Legislative Cost/Study

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
<b>Net Cost (Savings)</b>				
General Fund	\$0	\$2,618,835	\$5,464,735	\$8,410,635
<b>Appropriations/Allocations</b>				
General Fund	\$0	\$2,618,835	\$5,464,735	\$8,410,635

#### Legislative Cost/Study

The general operating expenses of this study are projected to be \$3,750 in fiscal year 2024-25. The Legislature's budget for the 2024-2025 biennium includes \$14,500 in each of fiscal years 2023-24 and 2024-25 for the costs of legislative studies, as well as \$38,909 of balances carried over from prior years for this purpose. Whether these amounts are sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature. The additional costs of providing staffing assistance to the study during the interim can be absorbed utilizing existing budgeted staff resources.

#### Fiscal Detail and Notes

This bill includes ongoing General Fund appropriations of \$2,618,835 in fiscal year 2024-25 to the Maritime Academy - Operations program within Maine Maritime Academy (MMA) to increase the percentage of MMA's total state appropriation as a share of its total operating costs by 5% per year until the percentage of the MMA's total state appropriation as a share of its total operating costs equals at least the lesser of the percentage of the University of Maine System's (UMS) and the Maine Community College System's (MCCS) total state appropriation compared to each system's total operating costs. Currently, MMA's total state appropriation funds approximately 24.82% of its total operating costs while appropriations for the UMS funds approximately 43% of its operating costs and appropriations for MCCS funds approximately 49% of its operating costs.

Additional costs to the State Board of Education, the UMS, the MCCS, MMA and the Department of Education associated with serving on the commission can be absorbed within existing budgeted resources.