

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 1, 2004 to March 30, 2005

FIRST SPECIAL SESSION
April 4, 2005 to June 18, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 17, 2005

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2005

1. Authority. "Authority" means the Finance Authority of Maine.

2. Eligible employment position. "Eligible employment position" means a full-time position within the State as the founder or employee of a technology-based business developed within the Applied Technology Development Center System, as established in Title 5, section 15321, or other state-wide recognized economic development entity.

§12532. Future for Youth in Maine Loan Repayment Program

1. Establishment; administration. There is established the Future for Youth in Maine Loan Repayment Program, referred to in this chapter as "the program." The program is established to recruit and retain college graduates in the State to start new technology-based businesses. The authority shall administer the program.

2. Eligibility requirements. Eligibility requirements must be established by rule of the authority in consultation with the Governor and, at a minimum, must include:

A. That the applicant has received a bachelor's degree or graduate degree within 2 years of the date of application;

B. That the applicant has outstanding education loans; and

C. That the applicant is willing to accept and maintain employment in an eligible employment position.

3. Application. An application to the program must be made directly to the authority at a time and in a format to be determined by the authority.

4. Maximum loan repayment. The maximum loan repayment amount available to a participant in the program is \$5,000 per year for a maximum of 4 years.

5. Loan repayment agreement; provisions. The authority shall enter into loan repayment agreements with participants in the program on terms and conditions acceptable to the authority, which at a minimum must require the participant and the participant's employer to certify annually, before any payment by the authority under the loan repayment agreement may be made, that the participant has been employed in an eligible employment position for the preceding 12-month period.

§12533. Nonlapsing fund

A nonlapsing, interest-earning, revolving fund under the jurisdiction of the authority is created to

carry out the purposes of this chapter. The authority may receive, invest and expend, on behalf of the fund, money from gifts, grants, bequests and donations in addition to money appropriated or allocated by the State. Money received by the authority under this chapter must be invested by the authority, as provided by law, with the earned income to be added to the fund. Money in the fund must be used for the designated purposes of the fund and for the payment of administrative costs incurred by the authority for the operation of the program.

§12534. Rules

The authority shall establish rules necessary to implement this chapter. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

§12535. Report

The authority shall report on the program to the Department of Economic and Community Development, to the joint standing committee of the Legislature having jurisdiction over education matters and to the joint standing committee of the Legislature having jurisdiction over business matters no later than January 15, 2007 and annually thereafter.

See title page for effective date.

CHAPTER 428

H.P. 467 - L.D. 634

An Act To Amend the Electronic Insurance Cancellation Notification Law

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

Sec. 1. 29-A MRSA §1601-A, sub-§4, as amended by PL 2003, c. 652, Pt. C, §1 and affected by §3, is further amended to read:

4. Suspension. Except as provided in subsection 5, the Secretary of State, upon termination of a 15-day reconciliation period described in subsection 6 following receipt of the notice required in subsection 1 and a lack of evidence of insurance, shall suspend, within ~~30~~ 20 days and in accordance with section 2482, the owner's registration certificate and plates for that motor vehicle. The suspension continues until that person provides evidence of insurance to the Secretary of State.

Sec. 2. 29-A MRSA §1601-A, sub-§§6 and 7 are enacted to read:

6. Reconciliation period. Upon receipt of notice under subsection 1, the Secretary of State has a 15-day period in which to reconcile the cancellation, termination or lapse with the evidence of insurance for reinstatement of coverage or new coverage. If no reconciliation is made, the Secretary of State shall send a notification of registration suspension pursuant to subsection 4.

7. Evidence of insurance. An insurance company or insured person may submit evidence of insurance to the Secretary of State. The Secretary of State shall accept evidence of insurance for reinstatement of coverage or new coverage by any of the following means:

- A. Electronic transmittal;
- B. The Internet;
- C. Facsimile;
- D. Mail; or
- E. Proof of insurance presented at an office of the Bureau of Motor Vehicles.

Sec. 3. Effective date. That portion of this Act that enacts the Maine Revised Statutes, Title 29-A, section 1601-A, subsection 7 takes effect January 1, 2007.

See title page for effective date, unless otherwise indicated.

CHAPTER 429

H.P. 915 - L.D. 1317

An Act To Prohibit and Provide Penalties for the Issuance, Manufacture and Use of False Academic Degrees or Certificates

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

Sec. 1. 20-A MRSA c. 410 is enacted to read:

CHAPTER 410

FALSE ACADEMIC DEGREES OR CERTIFICATES

§10801. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Accreditation. "Accreditation" means a formal status granted by an accrediting agency to an institution meeting or exceeding the educational quality criteria as stated in the accrediting agency's publication in order to assess and enhance the educational quality of an institution, ensure consistency in institutional operations, promote institutional improvement and provide for public accountability.

2. Accreditation mill. "Accreditation mill" means an entity that is created to give the appearance that certain substandard schools or institutions of higher education are legitimately accredited organizations, that is not recognized by any authorized state, professional or national agency and that has few, if any, standards for quality.

3. Diploma mill. "Diploma mill" means an institution of higher education operating without accreditation or supervision of a state or a nationally recognized professional agency and granting diplomas that are either fraudulent or, because of lack of proper standards, worthless.

4. Degree mill. "Degree mill" means a school or institution of higher education without accreditation that meets any one of the following conditions:

- A. Issues degrees without requiring any student academic work;
- B. Issues degrees based solely on the student's life experience or portfolio without requiring any college-level work submitted to and evaluated by faculty with appropriate academic degrees from standard accredited institutions; or
- C. Issues degrees basing more than 50% of required credits on the student's life experience.

5. Duly authorized institution of higher learning. "Duly authorized institution of higher learning" means an institution that:

- A. Has accreditation recognized by the United States Secretary of Education or has the foreign equivalent of such accreditation;
- B. Has an authorization to operate under the laws of this State; or
- C. Does not operate in this State and is:
 - (1) Licensed by the appropriate agency of another state; and
 - (2) An active applicant for accreditation by an accrediting body recognized by the United States Secretary of Education.

6. False academic degree. "False academic degree" means a document such as a degree or certifica-