

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

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-

tion of completion of a degree, course work or academic credit, including a transcript, that provides evidence or demonstrates completion of a course of instruction or course work that results in the issuance of an associate or more advanced degree by an institution that is not a duly authorized institution of higher learning.

7. Substandard school or institution of higher education. "Substandard school or institution of higher education" means an entity without accreditation that offers credentials purported to be degrees without requiring the type and level of academic work typically needed to earn a degree and that:

A. Issues degrees without requiring any substantial 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 accredited institutions;

C. Issues degrees without requiring that at least 80% of the student work for which credit is given be college-level work appropriate for the degree;

D. Issues degrees using more than 20% of required credits based on the student's life experience;

E. Issues degrees using more than 20% of credits transferred from an unaccredited school or institution of higher education; or

F. Issues degrees without at least 80% of student work for credit being evaluated by faculty with accredited degrees or issues degrees based on a nationally recognized college-level examination such as College Level Examination Program, Advanced Placement or New York Regents.

§10802. Unlawful to issue, manufacture, or use false academic degrees; penalty

1. False academic degree. A person may not issue or manufacture a false academic degree. A person who violates this subsection commits a Class C crime.

2. Use of false academic degree. A person may not use a false academic degree:

A. To obtain employment;

B. To obtain a promotion or higher compensation in employment;

C. To obtain admission to an institution of higher learning; or

D. In connection with any business, trade, profession or occupation.

A person who violates this subsection commits a Class D crime.

§10803. Unlawful to use degree or certificate when course work not completed; penalty

1. Unlawful use of degree. A person may not knowingly use a degree, certificate, diploma, transcript or other document purporting to indicate that the person has completed an organized program of study or completed courses when the person has not completed the organized program of study or the courses as indicated on the degree, certificate, diploma, transcript or document:

A. To obtain employment;

B. To obtain a promotion or higher compensation in employment;

C. To obtain admission to an institution of higher learning; or

D. In connection with any business, trade, profession or occupation.

2. Penalty. A person who violates this section commits a Class D crime.

§10804. Consumer protection

The department shall provide, via publicly accessible sites on the Internet, information to protect students, businesses and others from persons, institutions or entities that issue, manufacture or use false academic degrees. This information must include the names of known state, national and international diploma mills, degree mills, accreditation mills and substandard schools or institutions of higher education.

See title page for effective date.

CHAPTER 430

S.P. 575 - L.D. 1601

**An Act To Prevent the
Manufacturing of Methamphetamine
in Maine**

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

Sec. 1. 17-A MRSA §1101, sub-§4-A is enacted to read: