



# 131st MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2023

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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)

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

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT 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 **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,** Maine is experiencing an unprecedented, severe and persistent shortage of  
4 essential support workers needed to care for and support older people, people with physical  
5 and intellectual disabilities and people with behavioral health challenges; and

6 **Whereas,** Maine people in all settings who are entitled to care and support are unable  
7 to secure the care and support they need due to this workforce shortage; and

8 **Whereas,** older people, people with physical and intellectual disabilities and people  
9 with behavioral health challenges are being harmed by being unable to receive the care and  
10 support they need; and

11 **Whereas,** hundreds of people each week are living in hospitals because of this  
12 workforce shortage, taking beds that are critically needed for other patients; and

13 **Whereas,** this workforce shortage continues to grow despite state agencies and the  
14 Legislature taking many critical steps to increase wages and attract workers to these jobs;  
15 and

16 **Whereas,** it is essential to create additional incentives for workers to choose these  
17 jobs and remain in them before the date that nonemergency legislation becomes effective  
18 for this Legislature; and

19 **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
20 the meaning of the Constitution of Maine and require the following legislation as  
21 immediately necessary for the preservation of the public peace, health and safety; now,  
22 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 As used in this chapter, unless the context otherwise indicates, the following terms  
29 have the following meanings.

30 **1. Eligible person.** "Eligible person" means a person eligible to use an education  
31 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.

1           **2. Eligible postsecondary educational institution.** "Eligible postsecondary  
2 educational institution" means the University of Maine System, the Maine Community  
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  
10 Title 22, section 7401, subsection 3.

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  
16           program or another state-funded program;

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  
32           as an essential support worker for the employer at least 30 hours per week for one year;

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  
35           year for which the person applies, and the person must accept all available federal and  
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

1 received under paragraph C, not including a grant awarded under this subsection, that  
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;

5 G. An eligible worker may earn up to 4 education vouchers total and the vouchers do  
6 not have to be earned in successive years;

7 H. Education vouchers may be combined for use in one year to cover a higher cost of  
8 tuition at an eligible postsecondary educational institution; and

9 I. A participating employer or eligible person who does not comply with the terms of  
10 the program may be required to repay the amount of any education voucher granted or  
11 may be prohibited from future participation in the program.

12 **§1100-JJ. Essential Support Worker Tuition Grant Fund**

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

26 **§1100-KK. Rules**

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

30 **Sec. 2. Appropriations and allocations.** The following appropriations and  
31 allocations are made.

32 **FINANCE AUTHORITY OF MAINE**

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

