



126th MAINE LEGISLATURE

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Legislative Document

No. 1300

H.P. 926

House of Representatives, April 2, 2013

An Act To Promote and Expand Awareness of the Educational Opportunity Tax Credit

Reference to the Joint Select Committee on Maine's Workforce and Economic Future suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative GRANT of Gardiner.
Cosponsored by President ALFOND of Cumberland and
Representatives: BERRY of Bowdoinham, FREDETTE of Newport, KESCHL of Belgrade,
KNIGHT of Livermore Falls, MacDONALD of Boothbay, RUSSELL of Portland, Senators:
FLOOD of Kennebec, MILLETT of Cumberland.

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

2 **Sec. 1. 20-A MRSA §12542, sub-§6, ¶¶A and B** are enacted to read:

3 A. The department shall notify superintendents about the program annually and
4 require the superintendents to publicize the availability of the program among
5 students, parents and school staff.

6 B. The Department of Labor shall require that publicly funded workforce
7 development programs, including state and local workforce investment boards and
8 the Competitive Skills Scholarship Program established in Title 26, section 2033,
9 include within their plans and programs efforts to promote and increase awareness of
10 the program.

11 **Sec. 2. 20-A MRSA §12542, sub-§§7 and 8** are enacted to read:

12 7. Promotion by institutions. The department shall encourage accredited Maine
13 community colleges, colleges and universities to provide information to students about
14 the program including, but not limited to, as part of federally required entrance and exit
15 interviews of students. Institutions identified in section 12541, subsection 1, paragraphs
16 A to C shall provide such information.

17 8. Publicity. To assist institutions of higher education to promote the program, the
18 department shall contract with a private nonprofit corporation in the amount of at least
19 \$20,000 annually to market the program throughout the State, targeting high schools,
20 postsecondary educational institutions and organizations of parents, teachers and other
21 relevant audiences. Marketing efforts must include printed materials, online information
22 and in-person promotional efforts.

23 **Sec. 3. 36 MRSA §5217-D, sub-§2, ¶¶C and D**, as enacted by PL 2011, c. 665,
24 §10 and affected by §13, are amended to read:

25 C. Except as provided in ~~paragraph~~ paragraphs D and E, the credit may not reduce
26 the tax otherwise due under this Part to less than zero. ~~The credit allowed to an~~
27 employer of a qualified employee may not reduce the tax otherwise due under this
28 Part to less than zero.

29 D. Notwithstanding paragraph C, the credit allowed to an opportunity program
30 participant or employer of a qualified employee is refundable if the opportunity
31 program participant or qualified employee obtains ~~an associate degree or a~~ a bachelor's
32 degree in science, technology, engineering or mathematics.

33 **Sec. 4. 36 MRSA §5217-D, sub-§2, ¶E** is enacted to read:

34 E. Notwithstanding paragraph C, the credit allowed to an opportunity program
35 participant or the employer of a qualified employee is refundable if the opportunity
36 program participant receives an associate degree.

1 **SUMMARY**

2 This bill requires increased promotion and expansion of awareness of the Job
3 Creation Through Educational Opportunity Program by requiring the Department of
4 Education to:

5 1. Notify superintendents of schools about the program annually and require the
6 superintendents to publicize the availability of the program among parents, students and
7 school staff;

8 2. Encourage all postsecondary educational institutions in the State and require
9 public postsecondary institutions to provide information about the program as part of, but
10 not limited to, federally required entrance and exit interviews of students; and

11 3. Contract with a private nonprofit corporation with expertise in the program to
12 market the program.

13 The bill requires the Department of Labor to require that state and local workforce
14 investment boards and the Competitive Skills Scholarship Program include promotion of
15 the educational opportunity program and provides that the educational opportunity tax
16 credit is refundable for an educational opportunity program participant or the employer of
17 a qualified employee who receives any associate degree and for an employer of a
18 qualified employee who receives a bachelor's degree in science, technology, engineering
19 or mathematics as well as for an educational opportunity program participant.