

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY-SIX

—  
H.P. 1413 - L.D. 2098

**An Act to Update Certain Higher Education Statutes and Laws**

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

**Sec. 1. 20-A MRSA c. 321**, as amended, is repealed.

**Sec. 2. 20-A MRSA §10017, first ¶**, as enacted by PL 2023, c. 643, Pt. BB, §1, is amended to read:

The Higher Education Administrative Fund, referred to in this section as "the fund," is established within the department as a nonlapsing fund to receive participation fees and application fees from institutions of higher education for applications under section 10707 and for applications for membership or membership renewal in the interstate reciprocity agreement authorized under section 405, subsection 3, paragraph W. Funds deposited in the fund must be used to support the department's facilitation of the interstate reciprocity agreement and for other department costs associated with the administration of higher education in the State.

**Sec. 3. 20-A MRSA §10703, sub-§3** is enacted to read:

**3. Basis for degree-granting authority.** Temporary approval granted pursuant to this section may not be used as a basis for a recommendation by the state board for permanent degree-granting authority under section 10707.

**Sec. 4. 20-A MRSA §10707**, as amended by PL 2007, c. 572, Pt. A, §13, is further amended to read:

**§10707. Applications**

**1. Degree-granting authority.** Applications for authority to grant degrees ~~shall~~ must be made on application to the state board ~~on forms~~ through a process provided by the commissioner. An educational institution shall pay a fee for the initial application that reflects the costs to the department for processing the application, as determined by the commissioner.

A. The state board may recommend an educational institution to the Legislature for degree-granting authority without additional review if:

(1) The state board has approved or renewed approval for the educational institution to offer academic programs in the State within 5 years of the institution's application for degree-granting authority; and

(2) The educational institution has applied for degree-granting authority only for degrees for which the institution offers academic programs approved by the state board.

B. Upon recommending an educational institution to the Legislature for degree-granting authority under section 10704, the state board shall provide any reports resulting from completed state board reviews of the applicant educational institution to the joint standing committee of the Legislature having jurisdiction over education matters.

**2. Temporary use of name.** Applications for temporary state board authority to use the name "community college," "college" or "university" must be made to the state board ~~on forms~~ through a process provided by the commissioner. An educational institution shall pay a fee for the initial application that reflects the costs to the department for processing the application, as determined by the commissioner.

**3. Courses for academic credit.** Applications by out-of-state educational institutions to offer courses for academic credit ~~shall~~ must be made to the state board ~~on forms~~ through a process provided by the commissioner. Such an educational institution shall pay a fee for the initial application that reflects the costs to the department for processing the application, as determined by the commissioner.

**4. Coordinated programs.** Applications to offer coordinated programs ~~shall~~ must be made to the state board ~~on forms~~ through a process provided by the commissioner. An educational institution shall pay a fee for the initial application that reflects the costs to the department for processing the application, as determined by the commissioner.

**5. Exempt status.** Applications for exempt status under section 10708, subsection 2, ~~shall~~ must be made to the commissioner. An educational institution shall pay a fee for the initial application that reflects the costs to the department for processing the application, as determined by the commissioner.

**Sec. 5. P&SL 1973, c. 29, §1** is amended to read:

**Sec. 1. Degrees.** The College of the Atlantic, located in Bar Harbor, shall have the power to confer the degree of Bachelor of Arts ~~in Human Ecology~~ as is usually conferred by like institutions of higher learning.