CHAPTER 226

JOBS FOR MAINE'S GRADUATES

§6901. Establishment

Jobs for Maine's Graduates, referred to in this chapter as the "corporation," is established to extend necessary dropout prevention and school-to-work transition services to schools and students throughout the State. The corporation shall carry out its purposes in coordination with the education and job training activities of the private sector, community and regional agencies and State Government. [PL 1993, c. 348, §1 (NEW).]

The corporation is a private, nonprofit corporation with a public purpose under the United States Internal Revenue Code, Section 501(c)(3) and the exercise by the corporation of the powers conferred by this chapter is held to be an essential government function. [PL 1993, c. 348, §1 (NEW).]

SECTION HISTORY

PL 1993, c. 348, §1 (NEW).

§6902. Duties

Jobs for Maine's Graduates is authorized and directed to provide services to the State and to quasi-public, public and private entities and to assist students in making the transition from school to work. The corporation shall: [PL 1993, c. 348, §1 (NEW).]

1. Graduation. Help keep students in high school through graduation;
[PL 1993, c. 348, §1 (NEW).]

2. Quality jobs. Render 9 months of intensive assistance and follow-up activities to assure student placement in quality jobs with ample career opportunities;
[PL 1993, c. 348, §1 (NEW).]

3. Postsecondary education. Encourage students to pursue postsecondary education by assisting in securing appropriate part-time work to accompany that education;
[PL 1993, c. 348, §1 (NEW).]

4. Lifelong learning. Encourage lifelong learning by introducing students to the importance of skills training and demonstrating how learning is relevant to skills necessary in the workplace;
[PL 1993, c. 348, §1 (NEW).]

5. Youth apprenticeship. Assist schools and private sector corporations in the development of youth apprenticeship systems to connect more closely schools and the workplace; and
[PL 1993, c. 348, §1 (NEW).]

6. Other. Engage in other activities designed by its board of directors and consistent with this chapter.
[PL 1993, c. 348, §1 (NEW).]

SECTION HISTORY

PL 1993, c. 348, §1 (NEW).

§6902-A. Postsecondary services

The corporation shall provide services, in accordance with this section and for the purpose of significantly increasing the percentage of eligible students who obtain a postsecondary degree, to postsecondary institutions in the State to assist students in completing a postsecondary course of study. [PL 2015, c. 466, §1 (NEW).]

1. "Eligible student" defined. As used in this section, "eligible student" means a student who:

A. Has previously been enrolled in a high school program administered by the corporation; [PL 2015, c. 466, §1 (NEW).]

B. Has been in or currently is in foster care; or [PL 2015, c. 466, §1 (NEW).]

C. Has earned a high school equivalency diploma through an alternative program within the previous 5 years. [PL 2015, c. 466, §1 (NEW).]

[PL 2015, c. 466, §1 (NEW).]

2. Student services. The corporation shall:

A. Provide academic and social mentoring and counseling to eligible students, including monitoring of academic performance and connection to campus life; [PL 2015, c. 466, §1 (NEW).]

B. Assist each eligible student in developing an individualized academic plan for completing a course of study and consider each eligible student's individual academic needs and provide connections to sources of academic support, if necessary; [PL 2015, c. 466, §1 (NEW).]

C. Develop a system of peer mentoring between eligible students and other college students and between eligible students and college graduates; and [PL 2015, c. 466, §1 (NEW).]

D. Provide eligible students with financial guidance relating to postsecondary expenses, including assisting eligible students in obtaining all available sources of financial aid. [PL 2015, c. 466, §1 (NEW).]

[PL 2015, c. 466, §1 (NEW).]

SECTION HISTORY

PL 2015, c. 466, §1 (NEW).

§6903. Board of directors and officers

The Board of Directors of Jobs for Maine's Graduates consists of 17 private sector directors representing private businesses and labor organizations in the State; 14 public sector directors, representing public or quasi-public educational entities; and 2 ex officio directors, representing the Commissioner of Labor and the Commissioner of Education. The membership of the board must be representative of geographic diversity and gender balance. Each voting director is entitled to one vote. In addition, the executive director shall attend and participate in board meetings but is not entitled to a vote. [PL 1993, c. 348, §1 (NEW).]

1. Chair; vice-chair; treasurer. The chair and vice-chair of the board of directors and the treasurer of the corporation must be chosen from among the members. The chair must be elected from among the private sector board members.

[PL 1993, c. 348, §1 (NEW).]

2. Executive director. The board of directors shall appoint the Executive Director of Jobs for Maine's Graduates, who is a nonvoting member of the board of directors. The executive director may not be appointed from among the other directors. The executive director serves as the director of the corporation and may be removed by the board for cause.

[PL 1993, c. 348, §1 (NEW).]

3. Terms of membership. The Governor shall appoint the initial board of directors. Members of the board of directors serve for a term of 4 years, except that no more than 8 members' terms may expire in any one calendar year. To comply with this limitation, the Governor shall make appointments to the initial board for terms of fewer than 4 years.

As terms of board members expire, the board of directors, except for the ex officio members, shall elect new members who serve at the pleasure of the Governor. Upon expiration of a member's term the member serves until a successor is qualified and appointed. A vacancy in the board must be filled by appointment of a person, qualified in the same way as the board member being replaced, to complete the unexpired term of that board member.
[PL 1993, c. 348, §1 (NEW).]

4. Meetings; quorum. The board of directors shall meet at least twice a year at the call of the chair to conduct its business and elect its officers. Additional meetings may be held as necessary to conduct the business of the board of directors and may be convened at the call of the chair or a majority of the board members. Sixteen members of the board constitute a quorum for all purposes.
[PL 1993, c. 348, §1 (NEW).]

SECTION HISTORY

PL 1993, c. 348, §1 (NEW).

§6904. General powers

Jobs for Maine's Graduates is empowered to: [PL 1993, c. 348, §1 (NEW).]

1. Suit. Sue or be sued in its own name;
[PL 1993, c. 348, §1 (NEW).]

2. Application for and receipt of funds. Apply for and receive funds from any private source, foundation or governmental entity, whether by way of grant, donation, loan or any other manner;
[PL 1993, c. 348, §1 (NEW).]

3. Educational and school-to-work transition services; fees. Provide services to public or private entities to assist in job training and education efforts in the development of school-to-work transition services in the State and to charge fees for those services as it determines appropriate.
[PL 1993, c. 348, §1 (NEW).]

4. Real and personal property. Purchase, receive, hold, lease, acquire by foreclosure, operate, manage, license, sell, convey, transfer, grant or lease real and personal property together with those rights and privileges that may be incidental and appurtenant thereto and the use thereof, including, but not restricted to, any real or personal property acquired by the corporation from time to time in the satisfaction of debts or enforcement of obligations;
[PL 1993, c. 348, §1 (NEW).]

5. Expenditures and obligations regarding real and personal property. Make all expenditures and incur any obligations reasonably required in the exercise of sound business principles to secure possession of, preserve, maintain, insure and improve real and personal property and interests in that property acquired by the corporation;
[PL 1993, c. 348, §1 (NEW).]

6. Securities. Acquire, subscribe for, own, hold, sell, assign, transfer, mortgage or pledge the stock, shares, bonds, debentures, notes or other securities and evidences of interest in or indebtedness of any person, firm, corporation, joint stock company, partnership, association or trust, and, while the owner and holder thereof, exercise all the rights, powers and privileges of ownership, including the right to vote thereon;
[PL 1993, c. 348, §1 (NEW).]

7. Encumbrance of property. Mortgage, pledge or otherwise encumber any property right or thing of value acquired pursuant to the powers contained in subsection 4, 5 or 6 as security for the payment of any part of the purchase price of the property right or thing of value;
[PL 1993, c. 348, §1 (NEW).]

8. Contracts and liabilities. Make contracts, including contracts for services, and incur liabilities for any of the purposes authorized in those contracts;
[PL 1993, c. 348, §1 (NEW).]

9. Debt. Borrow money for any of the purposes authorized in this chapter, incur debt, including the power to issue its bonds, debentures, notes or other evidences of indebtedness, whether secured or unsecured; and secure the same by mortgage, pledge, deed of trust or other lien on its property, rights and privileges of every kind and nature, or any part thereof, or interest therein; and
[PL 1993, c. 348, §1 (NEW).]

10. Cooperation with agencies and organizations. Cooperate with governmental agencies, the University of Maine System and the Maine Community College System; and cooperate, assist and otherwise encourage organizations, local or regional, private or public, in the communities of the State in the promotion, assistance and development of school-to-work transition systems, youth apprenticeship and job training systems in communities and the State.
[PL 1993, c. 348, §1 (NEW); PL 2003, c. 20, Pt. OO, §2 (AMD); PL 2003, c. 20, Pt. OO, §4 (AFF).]

SECTION HISTORY

PL 1993, c. 348, §1 (NEW). PL 2003, c. 20, §OO2 (AMD). PL 2003, c. 20, §OO4 (AFF).

§6905. Adoption of bylaws

The corporation shall adopt bylaws consistent with this chapter for the governance of its affairs and has the general powers accorded corporations under Title 13-C, section 302. The corporation shall do all things necessary or convenient to carry out the lawful purposes of the corporation under this chapter.
[RR 2001, c. 2, Pt. B, §38 (COR); RR 2001, c. 2, Pt. B, §58 (AFF).]

SECTION HISTORY

PL 1993, c. 348, §1 (NEW). RR 2001, c. 2, §B38 (COR). RR 2001, c. 2, §B58 (AFF).

§6906. Limitation of powers

The corporation may not enter into contracts, obligations or commitments of any kind on behalf of the State or any of its agencies, nor may it have the power of eminent domain or any other power not provided to business corporations generally. Bonds, notes and other evidences of indebtedness of the corporation may not in any way be a debt or liability of the State or constitute a pledge of the faith and credit of the State. [PL 1993, c. 348, §1 (NEW).]

SECTION HISTORY

PL 1993, c. 348, §1 (NEW).

§6907. Liability of officers, directors and employees

All officers, directors, employees and other agents of the corporation entrusted with the custody of the securities of the corporation or authorized to disburse the funds of the corporation must be bonded, either by a blanket bond or by individual bonds, with a surety bond or bonds with a minimum limitation of $100,000 coverage for each person covered, conditioned upon the faithful performance of duties, the premiums for which are paid out of the assets of the corporation. [PL 1993, c. 348, §1 (NEW).]

SECTION HISTORY

PL 1993, c. 348, §1 (NEW).

§6908. Prohibited interests of officers, directors and employees

Officers, directors or employees of the corporation or their spouses or dependent children may not receive any direct personal benefit from the activities of the corporation in assisting any private entity. This provision does not prohibit corporations or other entities with which an officer or director is

associated by reasons of ownership or employment from participating in school-to-work transition activities of the corporation, provided that the ownership or employment is made known to the board of directors and, if applicable, the officer or director abstains from voting on matters relating to that participation. [PL 1993, c. 348, §1 (NEW).]

SECTION HISTORY

PL 1993, c. 348, §1 (NEW).

§6909. Donations to the State

The State, through the Office of the Governor, may accept donations, bequests, devises, grants or other interests of any nature on behalf of Jobs for Maine's Graduates and transfer those funds, property or other interests to the corporation. [PL 1993, c. 348, §1 (NEW).]

SECTION HISTORY

PL 1993, c. 348, §1 (NEW).

§6910. Annual report

The corporation shall provide an annual report of its activities to the Governor; to the joint standing committees of the Legislature having jurisdiction over education and labor and skills training matters; to the commissioner; and to the schools participating in the program. The corporation shall provide an annual financial audit conducted by an independent auditor to the Governor; to the joint standing committees of the Legislature having jurisdiction over education and labor and skills training matters; and to the commissioner at the expense of the State. [PL 2009, c. 213, Pt. YY, §1 (AMD).]

SECTION HISTORY

PL 1993, c. 348, §1 (NEW). PL 2009, c. 213, Pt. YY, §1 (AMD).

§6911. General conditions; dissolution

The Jobs for Maine's Graduates shall operate as a nonprofit organization consistent with its composition and broad public purposes. The following conditions apply to the operation or dissolution of the corporation. [PL 1993, c. 348, §1 (NEW).]

1. Net earnings. No part of the net earnings of the corporation may inure to the benefit of any officer, director or employee except that the corporation may pay reasonable compensation for services rendered and otherwise hold, manage and dispose of its property in furtherance of the purposes of the corporation.
[PL 1993, c. 348, §1 (NEW).]

2. Dissolution. Upon dissolution of the corporation, the dissolved corporation shall transfer all unexpended General Fund appropriations to the State before paying or making provision for the payment of all other liabilities.
[PL 1993, c. 348, §1 (NEW).]

SECTION HISTORY

PL 1993, c. 348, §1 (NEW).

§6912. Liberal construction

This chapter may be construed liberally to effect the interest and purpose of the corporation for an improved and expanded school-to-work and skills training system in the State and may be broadly interpreted to effect the corporation's intent and purpose and not as a limitation of powers. [PL 1993, c. 348, §1 (NEW).]

SECTION HISTORY

PL 1993, c. 348, §1 (NEW).

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