

**CHAPTER 429****TUITION WAIVER AT STATE POST-SECONDARY EDUCATIONAL INSTITUTIONS****§12551. Purpose**

In recognition of the indispensable public service role that firefighters, law enforcement officers and emergency medical services persons play in the well-being of the people of this State, it is the purpose of this chapter to provide for assistance to the children and spouses of firefighters, law enforcement officers and emergency medical services persons who are killed in the line of duty so that these children and spouses may have the opportunity to pursue a degree at one of the state postsecondary educational institutions. [PL 1999, c. 234, §1 (AMD).]

**SECTION HISTORY**

PL 1985, c. 472 (NEW). PL 1989, c. 502, §A61 (AMD). PL 1997, c. 160, §1 (AMD). PL 1999, c. 234, §1 (AMD).

**§12552. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1985, c. 472 (NEW).]

**1. Firefighter.** "Firefighter" means a person who is an active member of a municipal fire department in this State or a volunteer firefighters' association in this State and who aids in the extinguishing of fires, regardless of whether that person has administrative or other duties as a member of the department or association.

[RR 2019, c. 2, Pt. B, §21 (COR).]

**1-A. Authority.** "Authority" means the Finance Authority of Maine.  
[PL 1989, c. 698, §44 (NEW); PL 1989, c. 698, §76 (AFF).]

**1-B. Emergency medical service.** "Emergency medical service" means a nonprofit, incorporated ambulance service or nontransporting emergency medical service licensed under Title 32, chapter 2-B receiving full or partial financial support from or officially recognized by the State, a municipality or county or an entity created under Title 30-A, chapter 115 or 119 except when the emergency medical service is acting outside the scope of activities expressly authorized by the State, municipality, county or entity created under Title 30-A, chapter 115 or 119.

[PL 1999, c. 234, §2 (NEW).]

**1-C. Emergency medical services person.** "Emergency medical services person" means a person who is licensed to provide emergency medical treatment under Title 32, chapter 2-B and is serving a public agency in an official capacity as an officially recognized or designated employee or member of a rescue squad or ambulance crew, with or without compensation, or who is an employee of an emergency medical service as defined in subsection 1-B.

[PL 1999, c. 234, §2 (NEW).]

**2. Law enforcement officer.** "Law enforcement officer" means an active state police officer, municipal police officer, county sheriff or deputy sheriff in this State. "Law enforcement officer" also means an active game warden, fire marshal, forest ranger, Baxter State Park ranger, detective employed by the Office of the Attorney General pursuant to Title 5, section 202, person employed by the Department of Corrections as an investigative officer as defined in Title 34-A, section 1001, subsection 10-A, juvenile community corrections officer as described in Title 34-A, section 5602, probation officer, security officer appointed by the Commissioner of Public Safety pursuant to Title 25, section 2908, motor vehicle detective or supervisor appointed by the Secretary of State pursuant to Title 29-A,

section 152, military security police officer appointed by the Adjutant General, University of Maine System police officer or marine patrol officer, if employed on a full-time basis in that position in this State.

[PL 2017, c. 229, §5 (AMD).]

**2-A. Public agency.** "Public agency" means a governmental entity as defined in Title 14, section 8102, subsection 2 or a political subdivision as defined in Title 14, section 8102, subsection 3.

[PL 1999, c. 234, §3 (NEW).]

**3. State post-secondary educational institution.** "Post-secondary educational institution" means the University of Maine System, the Maine Maritime Academy and the community colleges.

[PL 1989, c. 443, §27 (AMD); PL 2003, c. 20, Pt. OO, §2 (AMD); PL 2003, c. 20, Pt. OO, §4 (AFF).]

## SECTION HISTORY

PL 1985, c. 472 (NEW). PL 1985, c. 779, §57 (AMD). PL 1989, c. 443, §27 (AMD). PL 1989, c. 698, §44 (AMD). PL 1997, c. 160, §2 (AMD). PL 1999, c. 234, §§2,3 (AMD). PL 2003, c. 20, §OO2 (AMD). PL 2003, c. 20, §OO4 (AFF). PL 2009, c. 421, §1 (AMD). PL 2017, c. 229, §5 (AMD). RR 2019, c. 2, Pt. B, §21 (COR).

### §12553. Tuition waiver

The child or spouse of a firefighter, law enforcement officer or emergency medical services person who has been killed or who has received an injury during the performance of that firefighter's, law enforcement officer's or emergency medical services person's duties, which results in death, may attend, as provided in this section, any state postsecondary educational institution free of tuition charges. [PL 1999, c. 234, §4 (AMD).]

**1. Eligibility of a child.** The child of a firefighter, law enforcement officer or emergency medical services person is eligible for tuition waiver under this chapter if the child is:

- A. The natural or legally adopted child of a firefighter, law enforcement officer or emergency medical services person; [PL 1999, c. 234, §5 (AMD).]
- B. Is less than 21 years old at the time of the death of the parent who is a firefighter, law enforcement officer or emergency medical services person; [PL 1999, c. 234, §5 (AMD).]
- C. A Maine resident; [PL 1985, c. 472 (NEW).]
- D. A high school graduate or has attained equivalent certification; and [PL 1987, c. 402, Pt. A, §124 (RPR).]
- E. Accepted for admission to a state postsecondary educational institution. [PL 1997, c. 160, §3 (AMD).]

[PL 1999, c. 234, §5 (AMD).]

**1-A. Eligibility of a spouse.** The spouse of a firefighter, law enforcement officer or emergency medical services person is eligible for tuition waiver under this chapter if the spouse is:

- A. Legally married to the firefighter, law enforcement officer or emergency medical services person at the time of the firefighter's, law enforcement officer's or emergency medical services person's death; [PL 1999, c. 234, §6 (AMD).]
- B. A Maine resident; [PL 1997, c. 160, §3 (NEW).]
- C. A high school graduate or has attained equivalent certification; and [PL 1997, c. 160, §3 (NEW).]
- D. Accepted for admission to a state postsecondary educational institution. [PL 1997, c. 160, §3 (NEW).]

[PL 1999, c. 234, §6 (AMD).]

**2. Limitation.** The tuition waiver provided by this chapter is limited to undergraduate degree programs and is limited to not more than 5 years of full-time enrollment or its equivalent.

[PL 1997, c. 160, §3 (AMD).]

**3. Continuation.** The tuition waiver provided by this chapter is awarded on a yearly basis and continues to be available, if the child or spouse is otherwise eligible under this section, as long as the child or spouse remains in good academic standing at a state institution.

[PL 1997, c. 160, §3 (AMD).]

#### SECTION HISTORY

PL 1985, c. 472 (NEW). PL 1985, c. 779, §58 (AMD). PL 1987, c. 402, §A124 (AMD). PL 1997, c. 160, §3 (AMD). PL 1999, c. 234, §§4-6 (AMD).

#### §12554. Administration

**1. Application.** A person desiring tuition waiver under this chapter may apply to the authority for determination of eligibility. Application must be on forms and in a manner prescribed by rule of the authority.

[PL 1991, c. 612, §17 (RPR).]

**2. Decision.** The authority shall determine whether an applicant is eligible and notify the applicant. The authority shall also notify the state post-secondary educational institution at which the person is accepted of the eligibility of that child for tuition waiver. Unless notified by the authority of a change in the student's eligibility, the institution may not bill an eligible student for tuition during that school year.

[PL 1989, c. 698, §45 (AMD); PL 1989, c. 698, §76 (AFF).]

#### **3. Rules.**

[PL 1989, c. 698, §45 (RP); PL 1989, c. 698, §76 (AFF).]

#### SECTION HISTORY

PL 1985, c. 472 (NEW). PL 1989, c. 698, §45 (AMD). PL 1989, c. 700, §A64 (AMD). PL 1991, c. 612, §17 (AMD).

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