

MAINE STATE LEGISLATURE

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DATE: *March 29, 2001* (Filing No. S-36)

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**STATE OF MAINE
SENATE
120TH LEGISLATURE
FIRST REGULAR SESSION**

SENATE AMENDMENT "K" to COMMITTEE AMENDMENT "A" to H.P. 256, L.D. 300, Bill, "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2002 and June 30, 2003"

Amend the amendment by striking out all of Parts O, M, P, V and X.

Further amend the amendment by inserting after Part Y the following:

PART Z

Sec. Z-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

	2001-02	2002-03
HUMAN SERVICES, DEPARTMENT OF		
Nursing Facilities		
All Other	\$1,000,000	\$1,000,000
Provides funds for a 3% cost-of-living adjustment for nursing facilities.		

Sec. Z-2. Allocation. The following funds are allocated from the Federal Expenditures Fund to carry out the purposes of this Part.

2001-02 2002-03

SENATE AMENDMENT

HUMAN SERVICES, DEPARTMENT OF

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Nursing Facilities

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All Other \$1,981,959 \$1,992,220

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Provides for the federal match for a 3% cost-of-living adjustment for nursing facilities.

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PART AA

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Sec. AA-1. Second tier cushion in fiscal year 2001-02. The following 2nd tier cushion is established for fiscal year 2001-02.

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A school administrative unit is eligible for a prorated share of the 2nd tier cushion of \$1,000,000 if the school administrative unit meets the following criteria:

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1. The school administrative unit has a per pupil valuation of less than \$400,000; and

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2. The school administrative unit's State share of subsidy for fiscal year 2001-02 for operating costs and program costs excluding the state share of bus purchases plus minimum subsidy is less than the school administrative unit's State share of subsidy for fiscal year 2000-01 for operating costs and program costs excluding the State share of bus purchases plus minimum subsidy and the 2000-01 cushion provision.

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Sec. AA-2. Transfer of general purpose aid. Notwithstanding any other provision of law, at the close of fiscal year 2000-01 following the end of that fiscal year, the State Controller shall transfer \$350,000 in the general purpose aid for local schools to the unappropriated surplus of the General Fund.

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Sec. AA-3. Implementing language. Notwithstanding Part C of this Act, within 30 days of enactment of this Act, the Department of Education shall submit implementing language to the Legislature making changes to Part C necessitated by this Part.

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Sec. AA-4. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

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2001-02

EDUCATION, DEPARTMENT OF

2

4

**General Purpose Aid for
Local Schools**

6

All Other \$1,000,000

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14

Provides funding for a 2nd tier of cushion
funding to assist school administrative
units with low valuation. Notwithstanding
the language in Part C, the department may
distribute additional amounts to local
school administrative units.

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PART BB

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Sec. BB-1. 30-A MRSA §5681, sub-§5, as repealed and replaced
by PL 1999, c. 731, Pt. U, §5, is amended to read:

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5. Transfers to funds. On the last day of each month,
beginning July 31, 2000, the Treasurer of State shall transfer to
the Local Government Fund an amount equal to ~~5.1%~~ 5.2% of the
receipts from the taxes imposed under Title 36, Parts 3 and 8 and
credited to the General Fund without any reduction. Any amounts
transferred to the Local Government Fund in excess of the annual
growth ceiling must be transferred to the Disproportionate Tax
Burden Fund.

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Sec. BB-2. Transfer. The Public Utilities Commission shall
order Verizon to transfer \$5,000,000 from the unexpended balance
of the School and Library Network project as of June 30, 2001 to
the Maine Learning Technology Endowment no later than August 1,
2001.

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Sec. BB-3. Transfer of funds. Notwithstanding the Maine
Revised Statutes, Title 20-A, Part 9, the Commissioner of
Administrative and Financial Services shall transfer \$5,000,000
from the Maine Learning Technology Endowment to the
unappropriated surplus of the General Fund no later than June 30,
2002.

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Sec. BB-4. Application. That section of this Part that amends
the Maine Revised Statutes, Title 30-A, section 5681, subsection
5 applies to transfers to the Local Government Fund beginning
July 2002.

2 **Sec. BB-5. Appropriation.** The following funds are
 3 appropriated from the General Fund to carry out the purposes of
 4 this Part.

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2001-02

TREASURER OF STATE, OFFICE OF THE

Local Government Fund

All Other \$800,000

Provides one-time funds in fiscal year
2001-02 to increase amounts for the
state-municipal revenue sharing funds.

PART CC

18 **Sec. CC-1. Appropriation.** The following funds are
 19 appropriated from the General Fund to carry out the purposes of
 20 this Part.

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2001-02 2002-03

HUMAN SERVICES, DEPARTMENT OF

Purchased Social Services

All Other \$1,140,318 \$1,126,113

Provides funds for additional
infant, toddler and preschool
child care subsidies to
offset a deallocation from
the Fund for a Healthy Maine
in Part B.

Purchased Social Services

All Other 250,000 283,569

Provides funds for additional
school-aged child care
subsidies to partially offset
a deallocation from the Fund
for a Healthy Maine in Part B.

Head Start

All Other 600,000 600,000

2 Provides funds to support
3 full-day, year-round Head
4 Start programs, including
5 children up to 5 years of age.

6
7 **DEPARTMENT OF HUMAN SERVICES**
8 **TOTAL** \$1,990,318 \$2,009,682

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PART DD

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13 **Sec. DD-1. Appropriation.** The following funds are
14 appropriated from the General Fund to carry out the purposes of
15 this Part.

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2001-02 **2002-03**

18

19 **ECONOMIC AND COMMUNITY**
20 **DEVELOPMENT, DEPARTMENT OF**

21 **Forum Francophone**

24

All Other \$75,000 \$75,000

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Provides funding for office
space and expenses. It is
the intent of the Legislature
that legislative funding for
the Forum Francophone Des
Affaires not continue beyond
the end of fiscal year
2002-03 without affirmative
action by the Legislature.

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PART EE

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39 **Sec. EE-1. 28-A MRSA §403,** as amended by PL 1997, c. 755,
40 §1, is repealed.

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Sec. EE-2. Closure of 5 state liquor stores. Notwithstanding any
other provision of law, the Department of Administrative and
Financial Services, Bureau of Alcoholic Beverages and Lottery
Operations is directed to implement the closure of 5 state liquor
stores by December 31, 2001. No sooner than June 1, 2002, but
not later than December 31, 2002, the department is directed to
close the remaining state liquor stores.

2 **Sec. EE-3. Commission to Develop a Plan to Implement the Closure**
3 **of State Liquor Stores.** The Commission to Develop a Plan to
4 Implement the Closure of State Liquor Stores is established in
5 accordance with the following:

6 1. **Membership.** The commission consists of the following
7 members:

8 A. Two Senators, appointed by the President of the Senate;

10 B. Two members of the House of Representatives, appointed
11 by the Speaker of the House;

14 C. One member representing the employees of state liquor
15 stores, appointed jointly by the President of the Senate and
16 the Speaker of the House;

18 D. Two owners of agency liquor stores, appointed jointly by
19 the President of the Senate and the Speaker of the House;

20 E. One representative of the Department of Administrative
21 and Financial Services, Bureau of Alcoholic Beverages and
22 Lottery Operations, appointed by the Governor; and

24 F. One representative of the Department of Public Safety,
25 Bureau of Liquor Enforcement, appointed by the Governor.

28 2. **Appointments; meetings.** Appointments must be made no
29 later than 30 days after the effective date of this Act. The
30 first named Senate member is the Senate chair; the first named
31 House member is the House chair. The appointing authorities
32 shall notify the Executive Director of the Legislative Council
33 once the appointments have been made. The Executive Director of
34 the Legislative Council shall notify the chairs when all
35 appointments have been made. The chairs of the commission shall
36 call and convene the first meeting of the commission any time
37 after the effective date of this Act.

38 3. **Duties.** The commission shall develop a plan to
39 implement the closure of more state liquor stores no later than
40 December 31, 2002 and to effectuate a transition to an
41 appropriate statewide liquor distribution system. In developing
42 its plan, the commission shall consider the effects on wholesale
43 distribution and sales of closing state liquor stores and
44 consider strategies for moving to a system that relies on agency
45 stores for all retail sales to the extent that does not
46 negatively affect state revenue.

48 4. **Report.** The commission shall submit its report,
49 together with legislation necessitated by the closing of state

liquor stores, to the Second Regular Session of the 120th
Legislature no later than January 31, 2002. If the commission
requires an extension of time to make its report, it may apply to
the Legislative Council, which may grant the extension.

5. Staff assistance. Upon approval of the Legislative
Council, the Office of Policy and Legal Analysis shall provide
staffing assistance to the commission.

6. Compensation. The members of the commission who are
Legislators are entitled to receive the legislative per diem, as
defined in the Maine Revised Statutes, Title 3, section 2, and
reimbursement for travel and other necessary expenses related to
their attendance at authorized meetings of the commission. Other
members of the commission who are not compensated by their
employers or other entities that they represent are entitled to
receive reimbursement for travel and other necessary expenses
related to their attendance at authorized meetings.

7. Budget. The chairs of the commission, with assistance
from the commission staff, shall administer the commission's
budget. The commission may not incur expenses exceeding its
approved budget. Upon request from the commission, the Executive
Director of the Legislative Council shall promptly provide the
commission and its staff with a status report on the commission's
budget, expenditures incurred and remaining available funds.

Sec. EE-4. Appropriation. The following funds are
appropriated from the General Fund to carry out the purposes of
this Part.

	2001-02	2002-03
LEGISLATURE		
Commission to Develop a Plan to Implement the Closure of State Liquor Stores		
Personal Services	\$1,320	\$1,760
All Other	1,975	3,200
TOTAL	\$3,295	\$4,960
Provides funds for the per diem and expenses of legislative members and other eligible members of the Commission to Develop a Plan to Implement the Closure of		

2 State Liquor Stores and to
print the required report.

4 **Sec. EE-5. Allocation.** The following funds are allocated from
the Alcoholic Beverage Fund to carry out the purposes of this
6 Part.

8 2001-02 2002-03

10 **ADMINISTRATIVE AND FINANCIAL**
12 **SERVICES, DEPARTMENT OF**

14 **Alcoholic Beverages - General**
Operation

16 Unallocated (\$75,913) (\$1,980,617)

18 Deallocates funds from
savings that result from
20 closing 5 state liquor stores
by December 31, 2001, the
22 elimination of discount store
provisions and closing
24 additional state liquor
stores by December 31, 2002
26 but no earlier than June 1,
2002.

28
30 **Sec. EE-6. Calculation and transfer.** Notwithstanding the Maine
Revised Statutes, Title 5, section 1585, in fiscal year 2001-02
and 2002-03 the State Budget Officer shall calculate the amounts
32 in section EE-5 that apply against each affected line category
based on information submitted by the Department of
34 Administrative and Financial Services, Bureau of Alcoholic
Beverages and Lottery Operations and shall transfer the
36 calculated amounts by financial order upon the approval of the
Governor. These transfers must be considered adjustments to
38 allocations in fiscal years 2001-02 and 2002-03. The State
Budget Officer shall provide the joint standing committee of the
40 Legislature having jurisdiction over appropriations and financial
affairs and the joint standing committee of the Legislature
42 having jurisdiction over legal and veterans affairs with a report
of the transferred amounts no later than September 30, 2002.

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46 **PART FF**

48 **Sec. FF-1. 36 MRSA §6651, sub-§§2-A, 4 and 5** are enacted to
read:

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2 2-A. Nonqualified service. "Nonqualified service" means
3 any service engaged in in this State by a person for another
4 person or persons for a fee, retainer, commission or other
5 valuable consideration, exclusive of activities engaged in for an
6 employer by an employee, including, but not limited to, business
7 services, professional services, personal services and
8 recreational services. "Nonqualified service" does not include
9 any qualified service and does not include the following
10 activities or an activity by a person engaged in any of the
11 following activities that is conducted predominantly in support
12 of either the activities engaged in by that person or the
13 business activity of that person related to those activities:

14 A. "Production" as defined in the first sentence of section
15 1752, subsection 9-B;

16 B. "Fabrication services" as defined by the first sentence
17 of section 1752, subsection 2-C;

18 C. Wood harvesting operations and the severance of sand,
19 gravel, oil, gas or other natural resources produced or
20 severed from the soil or water; or

21 D. "Commercial agricultural production," "commercial
22 aquacultural production" and "commercial fishing" as defined
23 by section 2013, subsection 1.

24 Activities conducted by a person in support of any of its
25 activities listed in paragraphs A to D or any qualified service
26 engaged in by that person include, without limitation,
27 management, administration, marketing, purchasing, design,
28 engineering, repair, maintenance, operation of support and
29 auxiliary equipment, distribution, accounting, financing,
30 billing, payroll, workers' compensation, accounts payable,
31 accounts receivable, medical, risk management, labor relations,
32 training, human resources, legal, packaging, storage, research
33 and development, quality control and environmental, security,
34 safety and fire protection.

35 4. Qualified service. "Qualified service" means any of the
36 following when provided by one person to another for a fee,
37 retainer, commission or other consideration: construction
38 services; printing; retail and wholesale services exclusive of
39 those performed at or in support of retail facilities;
40 modification of real or tangible personal property; development
41 of computer software; leasing by a lessor of property that would
42 be eligible for reimbursement under this chapter had the property
43 been owned by the lessee rather than the lessor; services
44 provided by financial institutions as defined by section 5206-D,
45 subsection 8; services provided by credit unions authorized to do
46

2 business in this State pursuant to Title 9-B, section 131,
3 subsection 12-A; services provided by insurance companies subject
4 to taxation under chapter 357; internet access services; computer
5 system services, including, but not limited to, maintenance,
6 support, development, management, operation, communication,
7 training, help desk, data processing, research, analysis,
8 troubleshooting and similar services involving computer systems;
9 repair, maintenance, refitting, refurbishing or upgrading
10 commercial or military watercraft and all machinery, equipment
11 and other property attached to or located on such
12 watercraft and related to the use of such watercraft; and
13 transportation services. "Qualified service" also includes any
14 activity by a person engaged in a qualified service that is
15 conducted predominantly in support of either the qualified
16 service engaged in by that person or the business activity of
that person related to that qualified service.

18 5. Retail sales facility. "Retail sales facility" means a
19 physical structure or portion of a physical structure located in
20 the State and predominantly utilized as a facility to serve
21 customers who are physically present at the facility for the
22 purpose of selecting and purchasing goods or a nonqualified
23 service at retail.

24 **Sec. FF-2. 36 MRSA §6652, sub-§1-B,** as enacted by PL 1997, c.
25 24, Pt. C, §14, is amended to read:

28 **1-B. Certain property excluded.** Notwithstanding any other
29 provision of law, reimbursement pursuant to this chapter may not
30 be made with respect to the following property:

32 A. Office furniture, including without limitation tables,
33 chairs, desks, bookcases, filing cabinets and modular office
34 partitions; and

36 B. Lamps and lighting fixtures;

38 C. Property predominantly employed by the person in
39 possession of it either in the provision of a nonqualified
40 service or in support of the provision of a nonqualified
41 service being provided by that person, exclusive of property
42 used by a person in providing a nonqualified service to an
43 affiliate when that property would be eligible for
44 reimbursement if it were owned by that affiliate; and

46 D. Property employed by the person in possession of it
47 either in a retail sales facility or employed predominantly
48 in the support of such a facility. Property employed in
49 support of a retail sales facility does not include property
50 employed predominantly in one or more qualified services or

2 in one or more of the activities listed in section 6651,
3 subsection 6, paragraphs A to D by any person or in any
4 activity in support thereof or the business activity of that
5 person related to such qualified services or listed
6 activities.

7 ~~This subsection applies~~ In the case of construction in progress
8 and inventory parts, eligibility must be determined as if the
9 item were currently in use as intended. Paragraphs A and B apply
10 to property tax years beginning after April 1, 1996. Property
11 affected by this subsection paragraphs A and B that was eligible
12 for reimbursement pursuant to chapter 915 of property taxes paid
13 for the 1996 property tax year is grandfathered into the program
14 and continues to be eligible for reimbursements for up to 12
15 years, unless it subsequently becomes ineligible. Paragraphs C
16 and D apply to property tax years beginning after April 1, 2000.
17 Property affected by paragraphs C and D that was eligible for
18 reimbursement pursuant to this chapter for property taxes paid
19 for the 2000 property tax year is grandfathered into the program
20 and continues to be eligible for reimbursement to the extent
21 permitted by this chapter as it existed on September 1, 2000,
22 unless it subsequently becomes ineligible. Property used in the
23 provision of a nonqualified service or in support of the
24 provision of a nonqualified service and property used in a retail
25 sales facility or in support of a retail sales facility includes,
26 without limitation, property used in management, marketing,
27 purchasing, distribution, accounting and research and development.

28 **Sec. FF-3. Appropriation.** The following funds are
29 appropriated from the General Fund to carry out the purposes of
30 this Part.

31
32 2001-02 2002-03

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34 **ADMINISTRATIVE AND FINANCIAL**
35 **SERVICES, DEPARTMENT OF**

36
37 **Personal Property Tax Reform**

38
39 All Other (\$621,557) (\$1,680,944)

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41
42 Deappropriates funds from
43 savings realized by the
44 prospective elimination of
45 some retail and service
46 providers.

47
48 **DEPARTMENT OF ADMINISTRATIVE**
49 **AND FINANCIAL SERVICES**
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TOTAL (\$621,557) (\$1,680,944)

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Sec. FF-4. Application. This Part applies to property taxes assessed on or after April 1, 2001.

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PART GG

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Sec. GG-1. Liquidation of securities. Notwithstanding any provisions of law, the Treasurer of State shall transfer \$1,000,000 from the Abandoned Property Fund to the unappropriated surplus of the General Fund no later than June 30, 2002 and \$1,000,000 from the Abandoned Property Fund to the unappropriated surplus of the General Fund no later than June 30, 2003. Funds to be transferred result from the liquidation of securities held in excess of 3 years.

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PART HH

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Sec. HH-1. 5 MRSA §1513, sub-§1-S is enacted to read:

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1-S. Transfer from Maine Rainy Day Fund; Maine State Prison Demolition. Notwithstanding subsection 2 and section 1585, an amount not to exceed \$3,800,000 in fiscal year 2001-02 may be transferred from the available balance in the Maine Rainy Day Fund to the Capital Construction/Repairs/Improvements - Admin program in the Department of Administrative and Financial Services to be made available by financial order upon the recommendation of the State Budget Officer and approval of the Governor to be used for the demolition and site remediation of the Maine State Prison in Thomaston. Funds transferred from the Maine Rainy Day Fund for this purpose in fiscal year 2001-02 may only be in addition to other funds made available by the Legislature.

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Sec. HH-2. Transfer to Capital Construction/Repairs/Improvements - Admin. Notwithstanding any other provision of law, at the close of fiscal year 2000-01, the State Controller shall transfer to the Capital Construction/Repairs/Improvements - Admin program in the Department of Administrative and Financial Services from the available balance remaining in the General Fund after the deduction of all appropriations, financial commitments or other designated funds an amount not to exceed \$3,800,000 for the demolition and site remediation of the Maine State Prison at Thomaston. These funds may be made available by financial order for expenditure by allotment in fiscal year 2001-02 upon the recommendation of the State Budget Officer and approval of the Governor. Funds transferred into the Capital

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2 Construction/Repairs/Improvements - Admin program in the
Department of Administrative and Financial Services for this
4 purpose do not lapse but must be carried forward from year to
year until the purposes of the transfer have been fulfilled.

6 **Sec. HH-3. Sale of land; proceeds transferred.** The Commissioner
of Administrative and Financial Services shall transfer all
8 proceeds from the sale of land consisting of the site of the
former Maine State Prison in Thomaston to the Maine Rainy Day
10 Fund.

12 **PART II**

14 **Sec. II-1. 36 MRSA §5122, sub-§2, ¶L,** as amended by PL 1999, c.
16 708, §35 and c. 731, Pt. S, §2 and affected by §4 and amended by
c. 790, Pt. A, §49, is repealed and the following enacted in its
18 place:

20 L. For income tax years beginning on or after January 1,
22 2000, an amount equal to the total premiums spent for
qualified long-term care insurance contracts as defined in
24 the Code, Section 7702B(b), as long as the amount subtracted
is reduced by the long-term care premiums claimed as an
26 itemized deduction pursuant to section 5125;

28 **Sec. II-2. 36 MRSA §5122, sub-§2, ¶M,** as enacted by PL 1999, c.
708, §36 and c. 731, Pt. S, §3 and affected by §4, is repealed
and the following enacted in its place:

30 M. An amount, for each recipient of benefits under an
32 employee retirement plan, that is the lesser of:

34 (1) Six thousand dollars reduced by the total amount
36 of social security benefits and railroad retirement
benefits paid by the United States, but not less than
38 \$0. The reduction does not apply to benefits paid
under the Maine State Retirement System; or

40 (2) The aggregate of benefits received under employee
42 retirement plans and included in federal adjusted gross
income.

44 For purposes of this paragraph, "employee retirement plan"
46 means a state or federal retirement plan or any other
retirement benefit plan established and maintained by an
48 employer for the benefit of its employees under Section
401(a), Section 403 or Section 457(b) of the Code.
50 "Employee retirement plan" does not include a military
retirement plan, an individual retirement account under

2 Section 408 of the Code, a Roth IRA under Section 408A of
3 the Code, a rollover individual retirement account, a
4 simplified employee pension under Section 408(k) of the Code
5 or an ineligible deferred compensation plan under Section
6 457(f) of the Code. A person who takes a deduction under
7 paragraph O may not take a deduction under this paragraph;

8 **Sec. II-3. 36 MRS §5122, sub-§2, ¶¶N and O** are enacted to read:

10 N. Interest or dividends on obligations or securities of
11 this State and its political subdivisions and authorities to
12 the extent included in federal adjusted gross income;

14 O. An amount equal to any income derived by military
15 retirees from a military retirement plan to the extent
16 included in federal adjusted gross income. For purposes of
17 this paragraph, "military retiree" means any person who has
18 retired from the active or reserve components of the Army,
19 Navy, Air Force, Marines or Coast Guard;

20 **Sec. II-4. Application.** That section of this Part that enacts
21 the Maine Revised Statutes, Title 36, section 5122, subsection 2,
22 paragraph O applies to tax years beginning on or after January 1,
23 2002.
24

26 **PART JJ**

28 **Sec. JJ-1. 5 MRS §1513, sub-§1-R** is enacted to read:

30 1-R. Transfer from Maine Rainy Day Fund. Notwithstanding
31 subsection 2 and section 1585, the state controller shall
32 transfer from the available balance in the Maine Rainy Day Fund
33 to the unappropriated surplus of the General Fund \$30,000,000 no
34 later than June 30, 2002 and an additional amount not to exceed
35 \$45,000,000 no later than June 30, 2003.

38 **Sec. JJ-2. 5 MRS §1513-A** is enacted to read:

40 **§1513-A. Maine Learning Technology Endowment established**

42 The Maine Learning Technology Endowment, referred to in this
43 section as the "endowment," is established within the Maine Rainy
44 Day Fund and must be segregated and maintained as a separate
45 account known as the Maine Learning Technology Endowment. Any
46 interest earned on money in the account must be transferred to
47 the Maine Learning Technology Endowment Fund established under
48 Title 20-A, section 19101. The endowment may not exceed
\$50,000,000.

2 **Sec. JJ-3. 20-A MRSA §19101**, as enacted by PL 1999, c. 731,
Pt. FFF, §1, is amended to read:

4
6 **§19101. Establishment of the Maine Learning Technology
Endowment Fund; source of funds**

8 The Maine Learning Technology Endowment Fund, referred to in
this chapter as the "endowment," "fund," is established. The
10 endowment fund consists of ~~certain--funds--dedicated--by--the~~
~~Legislature--and--by~~ interest earned on funds in the Maine Learning
12 Technology Endowment established pursuant to Title 5, section
1513-A and funds received from other private and public sources
14 for the advancement of learning technology in Maine.

16 **Sec. JJ-4. 20-A MRSA §19102**, as enacted by PL 1999, c. 731,
Pt. FFF, §1, is amended to read:

18 **§19102. Purpose**

20 1. **Generally.** The endowment fund must be used to enable
22 the full integration of appropriate learning technologies into
teaching and learning for the State's elementary and secondary
24 students. The endowment fund must be managed and governed in a
manner that provides for the financially sustainable support, use
26 and integration of learning technology in Maine schools as
determined by the Legislature.

28 2. **Learning technology plan.** The use of the endowment fund
30 must be based on a state learning technology plan adopted by the
Legislature.

32 **Sec. JJ-5. 20-A MRSA §19103**, as enacted by PL 1999, c. 731,
34 Pt. FFF, §1, is amended to read:

36 **§19103. Finances of the fund**

38 The endowment fund includes all assets, funds and holdings
held in the name of, on behalf of or for the benefit of the
40 endowment fund. This is a nonlapsing fund the sources of which
include all appropriations and allocations by the Legislature to
42 the endowment fund; money in the fund pursuant to Title 5,
section 1513-A; money from any other source, whether public or
44 private, designated for deposit into or credited to the endowment
fund; and interest or other income or assets of the endowment
46 fund.

48 **Sec. JJ-6. 20-A MRSA §19104**, as enacted by PL 1999, c. 731,
Pt. FFF, §1, is repealed.

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2 State Prison in Thomaston and Part X, which established the
Tourism Marketing Promotion Fund.

4 2. It provides funds for a 3% cost-of-living adjustment for
nursing facilities.

6
8 3. It provides funding for a 2nd tier of cushion funding
for general purpose aid for local schools. This amendment also
10 provides for the transfer of unobligated balances from general
purpose aid for local schools and the Maine Rainy Day Fund to the
General Fund.

12
14 4. It increases the percentage of state-municipal revenue
sharing to 5.2% from 5.1% beginning July 2002 and provides an
16 \$800,000 appropriation for state-municipal revenue sharing in
fiscal year 2001-02. It also requires Verizon to transfer
18 \$5,000,000 from the School and Library Network project to the
Maine Learning Technology Endowment. The amendment also
20 transfers \$5,000,000 from the Maine Learning Technology Endowment
to the General Fund to offset the costs of this amendment.

22 5. It provides additional appropriations for infant,
toddler and preschool child care subsidies, school-aged child
24 care subsidies and full-day, year-round Head Start programs to
offset deallocations from Part B.

26
28 6. It appropriates \$75,000 in each year of the biennium to
the Forum Francophone Des Affaires. This amendment also
30 expresses the intent of the Legislature that such legislative
funding will not continue beyond the end of fiscal year 2002-03
without affirmative action by the Legislature.

32
34 7. It directs the Department of Administrative and
Financial Services to close 5 state liquor stores by December 31,
2001 and establishes a commission to develop a plan to implement
36 the closure of the remaining state liquor stores by December 31,
2002. The department is directed to close the remaining state
38 liquor stores no sooner than June 1, 2002 but not later than
December 31, 2002.

40
42 8. It amends the law that provides for reimbursement by the
State of certain property taxes paid by businesses. Certain
44 property is currently excluded from the BETR program, and, with
these changes, certain additional property will be excluded on a
prospective basis.

46
48 9. It transfers \$2,000,000 from the Abandoned Property Fund
resulting from the liquidation of securities held in excess of 3
years to the unappropriated surplus of the General Fund.

50

SENATE AMENDMENT "K" to COMMITTEE AMENDMENT "A" to H.P. 256,
L.D. 300

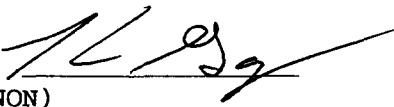
2 10. It provides a funding mechanism for the demolition of
the Maine State Prison in Thomaston.

4 11. It removes the cap on military pension benefits, thus
6 allowing them to be fully deductible from the state income tax.
In the same part, this amendment also corrects a conflict created
8 by Public Law 1999, chapters 708 and 731, each of which enacted a
new Maine Revised Statutes, Title 36, section 5122, subsection 2,
10 paragraph M. This amendment resolves the conflict by
reallocating one of the new paragraphs to be the Maine Revised
12 Statutes, Title 36, section 5122, subsection 2, paragraph N.

14 12. It establishes the Maine Learning Technology Endowment
within the Maine Rainy Fund to consist of no more than
16 \$50,000,000, which is the amount of the principal of the original
endowment. Interest earned on that segregated amount must be
18 transferred to the Maine Learning Technology Endowment Fund to
accomplish the purposes of the Maine Revised Statutes, Title
20 20-A, Part 9.

22 13. It provides the same additional funding for tourism
promotion in fiscal year 2002-03 as the committee amendment by
24 providing a General Fund appropriation to tourism.

26

SPONSORED BY: 
28 (Senator GAGNON)

30

COUNTY: Kennebec

32