

# MAINE STATE LEGISLATURE

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EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE

SENATE

124TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 89, L.D. 266, Bill, "An Act To Preserve Statewide Public Broadcasting"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

Sec. 1. 20-A MRSA §852, sub-§3, as enacted by PL 1991, c. 848, §2, is amended to read:

3. Transfer of assets and liabilities. The University of Maine System may transfer any assets and liabilities acquired pursuant to this section in order to unify operation in a nonprofit, nonstock private corporation, referred to in this section as "the corporation." The University of Maine System retains a reversionary interest in the university's assets as provided for in the articles of incorporation of that corporation. An annual appropriation for operating, constructing, equipping, maintaining, improving and replacing facilities of the corporation must be made in amounts sufficient to ensure delivery of broadcast sources throughout the State.

Sec. 2. 20-A MRSA §852, sub-§4 is enacted to read:

4. Condition of funding. As a condition of receiving an appropriation or allocation of state funds to broadcast throughout the State, the corporation shall continue to operate, equip and maintain facilities used to provide signals identified under paragraphs A and B that were in operation on February 1, 2009 or an equivalent network providing equivalent or expanded broadcast coverage throughout the State:

A. A television broadcast signal originating from stations whose community of license is Presque Isle, Calais, Orono, Augusta and Biddeford; and

B. A radio broadcast signal originating from stations whose community of license is Fort Kent, Presque Isle, Calais, Bangor, Waterville, Camden and Portland.

Sec. 3. 20-A MRSA §852, sub-§5 is enacted to read:

5. Failure to meet funding conditions. If the corporation fails to meet the requirements of subsection 4 during any state fiscal year in which an appropriation or

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1 allocation has been made, the corporation shall return the full amount of that  
2 appropriation or allocation to the Treasurer of State within 15 business days of the  
3 beginning of the next state fiscal year.

4 **Sec. 4. 20-A MRSA §852, sub-§6** is enacted to read:

5 **6. Exceptions.** The corporation does not fail to meet the requirements of subsection  
6 4 if:

7 A. One or more of the broadcast signals described in subsection 4, paragraphs A and  
8 B is off the air for a period of time due to a reason outside of the control of the  
9 corporation; or

10 B. All of the television broadcast signals or all of the radio broadcast signals are off  
11 the air for an equal period of time for any reason.'

12 **SUMMARY**

13 This amendment eliminates the use of the terms "towers" and "transmitters." It  
14 specifies that facilities used to provide signals must be maintained to provide broadcast  
15 coverage that equals or exceeds the coverage in place on February 1, 2009.

16 It specifies that the corporation operating the statewide public broadcasting network  
17 has not failed to meet the broadcast requirements if the reason for a signal being off the  
18 air is outside the control of the corporation or if all signals in the network are off the air  
19 for an equal period of time.

**FISCAL NOTE REQUIRED**

(See attached)



# 124th MAINE LEGISLATURE

LD 266

LR 793(02)

## An Act To Preserve Statewide Public Broadcasting

**Fiscal Note for Bill as Amended by Committee Amendment "A"**

**Committee: Education and Cultural Affairs**

**Fiscal Note Required: Yes**

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### Fiscal Note

Potential current biennium savings - General Fund

#### Fiscal Detail and Notes

Making General Fund support to the Maine Public Broadcasting Network (MPBN) contingent upon it fulfilling certain requirements may result in savings to the General Fund if the conditions are not met and General Fund support is withdrawn. The General Fund appropriation to MPBN is \$2.05 million in fiscal year 2008-09. The Governor's Biennial Budget for the 2010-2011 Biennium proposes to appropriate \$2.17 million per year to the MPBN in both fiscal year 2009-10 and fiscal year 2010-11. General Fund appropriations contribute to approximately 20% of MPBN's total budget. The potential impact of the loss of General Fund support on the operations of MPBN can not be determined at this time but is expected to be significant.