

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

SECOND REGULAR SESSION
January 2, 2002 to April 25, 2002

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 25, 2002

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
2002

P. For income tax years beginning on or after January 1, 2002, an amount equal to the total premiums spent for long-term care insurance policies certified under Title 24-A, section 5075-A as long as the amount subtracted is reduced by the long-term care premiums claimed as an itemized deduction pursuant to section 5125.

Sec. 5. 36 MRSA §5217-C, sub-§§1 and 2, as enacted by PL 1999, c. 521, Pt. C, §8 and affected by §9, are amended to read:

1. Credit. A taxpayer constituting an employing unit is allowed a credit against the tax imposed by this Part for each taxable year ~~that begins on or after January 1, 2000~~ equal to the lowest of the following:

- A. Five thousand dollars;
- B. Twenty percent of the costs incurred by the taxpayer in providing qualified eligible long-term care insurance ~~contract coverage~~ as part of a benefit package; or
- C. One hundred dollars for each employee covered by ~~an~~ employer-provided eligible long-term care insurance ~~contract~~.

2. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Employing unit" has the same meaning as in Title 26, section 1043.

~~B. "Qualified long-term care insurance contract" means a qualified long-term care insurance contract as defined in the Code, Section 7702B(b).~~

C. "Eligible long-term care insurance" means:

(1) For tax years beginning on or after January 1, 2000, a qualified long-term care insurance contract as defined in the Code, Section 7702B(b); and

(2) For tax years beginning on or after January 1, 2002, a contract specified in subparagraph (1) or a long-term care insurance policy certified by the Superintendent of Insurance under Title 24-A, section 5075-A.

Sec. 6. Application. This Act applies to tax years beginning on or after January 1, 2002.

See title page for effective date.

CHAPTER 680

S.P. 337 - L.D. 1144

An Act to Enhance Economic Development Capacity

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

Sec. 1. 5 MRSA §13063-C, sub-§4, as enacted by PL 1995, c. 706, §2, is repealed and the following enacted in its place:

4. Transfer from program. Funds must be transferred from the program as follows:

A. Upon the revocation of a certificate of approval, any balance remaining in the program and allocated to the business whose certificate has been revoked must be transferred to the department's "Administration - Economic and Community Development" program as nonlapsing funds to be used in accordance with section 13063-D; and

B. Notwithstanding section 1585, any balance remaining in the program after July 31, 2007 must be transferred to the Maine Rainy Day Fund as established in section 1513.

The commissioner may consider the layoff or termination of all, or substantially all, of the employees of a certified retained business as demonstration that it has ceased operations.

Sec. 2. 5 MRSA §13063-D, as enacted by PL 1999, c. 731, Pt. MMM, §1 and Pt. VVV, §1, is repealed and the following enacted in its place:

§13063-D. Grants to municipalities to retain mature or dominant employers

The commissioner shall authorize grants to municipalities for the purpose of assisting those municipalities to retain mature or dominant employers, as defined in rules adopted by the commissioner, especially manufacturing firms presently located in the State. In awarding grants under this section, the commissioner shall consider the economic health of the region in which the municipality is located, the economic and social impacts that would be or have been created by the loss of the mature or dominant employer and the likelihood of returning that employer to a financially viable condition. In awarding any grant under this section, the commissioner shall take appropriate measures to ensure accountability and a positive return on the public's investment. To the extent that grant funds have been transferred from the Job Retention Program in accordance with section 13063-C, subsection 4, the commissioner shall give

priority to projects that are reasonably expected to return a former certified retained business, as defined in section 13063-C, to financial viability or its facilities to appropriate productive use. Rules adopted pursuant to this section are routine technical rules as defined in chapter 375, subchapter II-A.

Sec. 3. Appropriations and allocations.

The following appropriations and allocations are made.

CONSERVATION, DEPARTMENT OF

Administration - Forestry

Initiative: Provides a one-time appropriation of funds for the Community Forestry Fund. Within 30 days after the effective date of this section, the State Controller shall transfer these funds to the Community Forestry Fund as established by the Maine Revised Statutes, Title 12, section 8705.

General Fund	2001-02	2002-03
All Other	\$0	\$5,000

Administration - Forestry

Initiative: Allocates funds for the newly established Community Forestry Fund. These funds must be expended in consultation with the Community Forestry Advisory Board.

Other Special Revenue Funds	2001-02	2002-03
All Other	\$0	\$5,000

**CONSERVATION, DEPARTMENT OF
DEPARTMENT TOTALS**

	2001-02	2002-03
GENERAL FUND	\$0	\$5,000
OTHER SPECIAL REVENUE FUNDS	\$0	\$5,000
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$10,000

Sec. 4. Appropriations and allocations.

The following appropriations and allocations are made.

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Forum Francophone

Initiative: Provides for a one-time appropriation of funds for office space and operational expenses of the Forum Francophone.

General Fund	2001-02	2002-03
All Other	\$0	\$75,000

Sec. 5. Appropriations and allocations.

The following appropriations and allocations are made.

TRANSPORTATION, DEPARTMENT OF

Highway and Bridge Improvements

Initiative: Provides for a one-time appropriation of funds to the Town of Raymond for a Community Gateways project administered through the Department of Transportation.

General Fund	2001-02	2002-03
All Other	\$0	\$10,000

Sec. 6. Appropriations and allocations.

The following appropriations and allocations are made.

HISTORIC PRESERVATION COMMISSION, MAINE

Maine Historic Preservation Commission

Initiative: Provides funding for the New Century Community program. The Director of the Maine Historic Preservation Commission and the Maine State Cultural Affairs Council must work cooperatively to distribute these funds to the appropriate cultural agencies in a fair and equitable manner.

General Fund	2001-02	2002-03
All Other	\$0	\$211,674

See title page for effective date.

CHAPTER 681

H.P. 386 - L.D. 507

An Act to Create the Transit Bonus Payment Program

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

Sec. 1. 23 MRS §1807 is enacted to read:

§1807. Transit bonus payment program

In order to promote the purposes of the Sensible Transportation Policy Act set forth in section 73, a transit bonus payment program is established. The program is governed by the provisions of this section.

1. Application. A municipality that increases its qualifying expenditures for transit over a base year may apply to the department for a transit bonus to the municipality's Urban-Rural Initiative Program payment, as defined in section 1803-B.

2. Qualifying expenditures for transit. As used in this section, "qualifying expenditures for transit" means a municipality's total annual expenditures derived from municipal revenue sources that are used for the operations of a seasonal or year-round transit service that has been established for at least 3 years and that provides scheduled service for at least 3 days per week.

3. Use of funds. All funds distributed pursuant to this section must be used for the purposes set forth in sections 1801 and 1803-B.