

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the amendment by inserting after Part HH the following:

PART II

Sec. II-1. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

FHM - Bureau of Health 0953

Initiative: Restores funding for the Fund for a Healthy Maine FHM - Bureau of Health program, Community School Grant account.

FUND FOR A HEALTHY MAINE	2011-12	2012-13
All Other	\$0	\$2,764,945
FUND FOR A HEALTHY MAINE TOTAL	\$0	\$2,764,945

FHM - Bureau of Health 0953

Initiative: Restores funding for the Fund for a Healthy Maine FHM - Bureau of Health program, Oral Health account.

FUND FOR A HEALTHY MAINE	2011-12	2012-13
All Other	\$0	\$300,000
FUND FOR A HEALTHY MAINE TOTAL	\$0	\$300,000

FHM - Bureau of Health 0953

Initiative: Restores funding for the Fund for a Healthy Maine FHM - Bureau of Health program, Home Visits account.

FUND FOR A HEALTHY MAINE	2011-12	2012-13
All Other	\$0	\$2,653,383
FUND FOR A HEALTHY MAINE TOTAL	\$0	\$2,653,383

FHM - Family Planning 0956

Initiative: Restores funding for the Fund for a Healthy Maine FHM - Family Planning program.

FUND FOR A HEALTHY MAINE	2011-12	2012-13
All Other	\$0	\$401,430
FUND FOR A HEALTHY MAINE TOTAL	\$0	\$401,430

FHM - Medical Care 0960

Initiative: Notwithstanding any other provision of law, adjusts funding by increasing funding in the Medical Care - Payments to Providers program and decreasing funding in the FHM - Medical Care program to reflect a redistribution of funding within the Fund for a Healthy Maine.

FUND FOR A HEALTHY MAINE	2011-12	2012-13
All Other	\$0	(\$8,787,653)
FUND FOR A HEALTHY MAINE TOTAL	\$0	(\$8,787,653)

FHM - Purchased Social Services 0961

Initiative: Restores funding for child care services in the Fund for a Healthy Maine FHM - Purchased Social Services program.

FUND FOR A HEALTHY MAINE	2011-12	2012-13
All Other	\$0	\$1,971,118
FUND FOR A HEALTHY MAINE TOTAL	\$0	\$1,971,118

Medical Care - Payments to Providers 0147

Initiative: Notwithstanding any other provision of law, adjusts funding by increasing funding in the Medical Care - Payments to Providers program and decreasing funding in the FHM - Medical Care program to reflect a redistribution of funding within the Fund for a Healthy Maine.

GENERAL FUND	2011-12	2012-13
All Other	\$0	\$8,787,653
GENERAL FUND TOTAL	\$0	\$8,787,653

**HEALTH AND HUMAN SERVICES, DEPARTMENT
OF (FORMERLY DHS)**

	2011-12	2012-13
DEPARTMENT TOTALS		
GENERAL FUND	\$0	\$8,787,653
FUND FOR A HEALTHY MAINE	\$0	(\$696,777)
DEPARTMENT TOTAL - ALL FUNDS	<hr/> \$0	<hr/> \$8,090,876

PART JJ

Sec. JJ-1. 36 MRSA §5117 is enacted to read:

§ 5117. Tax equalization

For tax years beginning on or after January 1, 2012, a tax equalization payment is imposed on every resident individual who is determined, solely on the basis of expanded income and with respect to the most recent tax incidence analysis report filed with the Legislature under section 200, to fall within the top 1% of Maine resident individual taxpayers.

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

A. "Expanded income" means the income of the taxpayer determined pursuant to section 6201, subsection 9.

B. "State and local tax burden" means the average effective tax rate of all state and local taxes paid by all individual taxpayers in a class of taxpayers.

C. "Tax equalization gap" means the difference between the state and local tax burden for the top 1% of taxpayers and the state and local tax burden for the bottom 99% of taxpayers based on expanded income as identified in the most recent tax incidence analysis report filed with the Legislature under section 200.

2. Partial tax equalization rate. By September 15, 2012 and annually thereafter, the State Tax Assessor shall calculate the tax equalization gap. The partial tax equalization rate is the lesser of the tax equalization gap and the rate specified in this subsection and may not be less than zero. The partial tax equalization rate specified in this subsection applies to the tax years that begin during the calendar year during which the rate is calculated. For tax years beginning on or after January 1, 2012, the partial tax equalization rate is .176%.

3. Tax equalization payment amount. The tax equalization payment amount under this section for any taxable year is equal to the partial tax equalization rate for that taxable year determined in accordance with subsection 2 multiplied by the expanded income of the taxpayer for the taxable year. For the purposes of this subsection, the expanded income of the taxpayer is the total expanded income for the income tax filing unit regardless of income tax filing status.

4. Payment; enforcement. The State Tax Assessor shall provide for the reporting and payment of the tax equalization payment on individual income tax forms. The tax equalization payment is not income tax for the purposes of this Part. The provisions of this Title applying to the collection and enforcement of income taxes apply to the collection and enforcement of the tax equalization payment except that an obligation to pay estimated taxes under section 5228 does not apply with regard to the tax equalization payment. Income tax credits available under chapter 822 do not apply with regard to the tax equalization payment.

5. Rules. The State Tax Assessor may adopt rules, which are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A, to implement this section.'

Amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment restores funding for certain cuts to services funded by the Fund for a Healthy Maine including: oral health funding; community school grants; family planning; home health visits; and child care services. The amendment provides funding for the restoration of services through the establishment of a tax equalization payment imposed on persons whose state and local tax burden is in the top 1% of all taxpayers.

FISCAL NOTE REQUIRED

(See attached)