



130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 914

H.P. 670

House of Representatives, March 8, 2021

**An Act To Meet the State's Obligation To Pay 55 Percent of
Education Costs**

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative TUTTLE of Sanford.

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

2 **Sec. 1. 8 MRSA §387, sub-§1**, as amended by PL 2003, c. 414, Pt. B, §18 and
3 affected by c. 614, §9, is further amended to read:

4 **1. Appropriation.** The money in the State Lottery Fund may be appropriated only:

5 A. For the payment of prizes to the holders of winning lottery tickets or shares;

6 B. For the expense of the division in its operation of the lottery;

7 C. For payment to the General Fund; ~~and~~

8 D. For payment to the Maine Outdoor Heritage Fund pursuant to Title 12, section
9 10302; ~~and~~

10 E. For payment to the Department of Education for general purpose aid for local
11 schools.

12 **Sec. 2. 8 MRSA §387, sub-§2**, as enacted by PL 1987, c. 505, §2, is amended to
13 read:

14 **2. Apportionment.** The money in the State Lottery Fund ~~shall~~ must be apportioned
15 so that not less than 45% of the total ticket sales received in the lottery will be disbursed as
16 prizes to holders of winning tickets. All other money, less reasonable costs for the proper
17 administration of the State Lottery, ~~shall be~~ is the State's share. The commission shall
18 provide annually up to 100% of the State's share to the Department of Education for
19 distribution as general purpose aid for local schools as determined pursuant to Title 20-A,
20 section 15671, subsection 5-B.

21 **Sec. 3. 20-A MRSA §15671, sub-§5-B** is enacted to read:

22 **5-B. Funds from the State Lottery Fund or consumers' tax on spirits revenues.**
23 Beginning in fiscal year 2021-22, the commissioner shall determine and notify the State
24 Liquor and Lottery Commission of the additional funds necessary for the state share
25 percentage of the total cost of funding public education from kindergarten to grade 12 to
26 reach 55% pursuant to subsection 7, paragraph B. Revenues received by the department
27 from the State Lottery Fund and the consumers' tax on spirits pursuant to Title 8, section
28 387 and Title 28-A, section 1651, subsection 4, respectively, must be distributed as general
29 purpose aid for local schools, and each school administrative unit shall make its own
30 determination as to how to allocate these resources. Revenues provided to the department
31 for general purpose aid for local schools under this subsection must supplement and not
32 supplant General Fund appropriations for the purpose of ensuring that the State achieves
33 the state share percentage of 55% under subsection 7, paragraph B.

34 **Sec. 4. 28-A MRSA §1651, sub-§4**, as amended by PL 2005, c. 539, §10, is further
35 amended to read:

36 **4. Net revenue deposited to ~~General Fund~~ Department of Education.** All net
37 revenues derived from the tax under this section must be credited to the ~~General Fund~~
38 Department of Education to be distributed as general purpose aid for local schools pursuant
39 to Title 20-A, section 15671, subsection 5-B.

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SUMMARY

This bill provides state funding for 55% of the total cost of education by applying up to 100% of all lottery and alcohol revenues toward the total cost of education.