

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
110TH LEGISLATURE  
FIRST REGULAR SESSION

L.D. 1655  
(Filing No. S-362)

10:05

SENATE AMENDMENT " D " to H.P. 1540, L.D. 1655, Bill,  
"AN ACT Promoting Alcoholism Prevention, Education, Treatment  
and Research."

Amend the Bill in section 8 by striking out all of that  
part designated "§472." and inserting in its place the following:

'§472. Special account

1. Establishment. There is established an account.
2. Revenue. The Treasurer of State shall deposit in the account all premiums collected under section 473.
3. Allocation. Allocations from the account shall be made in accordance with the provisions of section 474.
4. Reports. The State Controller shall maintain records and prepare reports in accordance with Title 5, chapter 143.

Further amend the Bill in section 8 by striking out all  
of that part designated "§473."

Further amend the Bill in section 8 in that part designated  
"§474." by striking out all of subsections/<sup>3 and 4</sup> and inserting in  
their  
/ place the following:

'3. Amount of premium. The premium imposed by subsections  
1 and 2 shall be 5¢ per gallon, or its metric equivalent, or  
fraction or multiple thereof, on all malt beverages sold in this  
State; 15¢ per gallon, or its metric equivalent, or fraction  
or multiple thereof, on all wine containing 14% or less alcohol  
by volume sold in this State; 12¢ per gallon, or its metric  
equivalent, or multiple or fraction thereof, on all sparkling  
wines manufactured in or imported into this State; 62 1/2¢ per

proof gallon as the term proof gallon is defined in the United States Code, Title 26, Section 5002, or its metric equivalent, or fraction or multiple thereof, on all spirituous liquors and wines containing more than 14% alcohol by volume sold in this State.

4. Payment to account. All premiums collected by the commission under this section shall be paid forthwith to the Treasurer of State and credited to the account in accordance with section 472.'

Further amend the Bill in section 8 by striking out all of that part designated "§475." and inserting in its place the following:

§475. Allocations procedure

1. Allocation. The Legislature may make allocations from the account to any public or private agency or person.

2. Commissioners' report. The Commissioners of Educational and Cultural Services, Mental Health and Corrections and Human Services shall jointly prepare and submit a report on alcoholism prevention, education, treatment and research to the Legislature on or before the first day of every regular session. The Commissioner of Human Services shall act as the coordinator in the preparation of this report. Other governmental departments and nongovernmental organizations may be consulted in the preparation of this report. The report shall include their specific recommendations regarding allocations from the account, including agencies or persons to whom allocations should be made and the amounts that should be allocated, the specific reasons for their recommendations and any other information

that the Legislature may request. The commissioners may hold hearings, solicit and receive proposals or take any other action they consider necessary and appropriate in order to prepare their report.

3. Other recommendations. The public shall be afforded appropriate opportunity to make recommendations directly to the Legislature regarding allocations from the account.

4. Legislative prerogative. Nothing in this chapter or in Title 22, chapter 160, may be construed to authorize any agency or person to disburse, administer, coordinate or otherwise act with respect to allocations from the account, unless so authorized by the allocation, to require the Legislature to make an allocation from the account or to allocate a specific amount to any particular agency or person, or to preclude the Legislature from making any allocation or any amount from the account for any purpose and use it ... deems appropriate, irrespective of any recommendation.

Further amend the Bill in section 8 by renumbering <sup>those parts designated</sup> ~~§474.~~ and "§475." to be "§473." and "§474."

Statement of Fact

The purpose of this amendment is to allow the Legislature to appropriate the funds from the account established for other appropriate purposes in addition to alcoholism prevention, education and treatment.

(Sen. Conley)  
NAME: *Conrad P. Conley*  
COUNTY: Cumberland