

MAINE STATE LEGISLATURE

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R. O'G.

L.D. 750

(Filing No. H-375)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 554, L.D. 750, Bill, "An Act to Protect Children from Illegal Tobacco Sales"

Amend the bill by inserting at the end before the statement of fact the following:

'Sec. 21. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1993-94	1994-95
PUBLIC SAFETY, DEPARTMENT OF		
Bureau of Liquor Enforcement		
Positions	(10.0)	(10.0)
Personal Services	\$221,520	\$318,720
All Other	60,740	39,470
Capital Expenditures	182,770	0
Provides for the appropriation of funds for 10 Liquor Enforcement Officer I positions and related general operating expenses, including vehicles required for enforcement of laws related to tobacco sales.		
DEPARTMENT OF PUBLIC SAFETY		
TOTAL	<u>\$465,030</u>	<u>\$358,190</u>

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to H.P. 554, L.D. 750

2 The Department of Public Safety will require additional
3 General Fund appropriations of \$465,030 and \$358,190 in fiscal
4 years 1993-94 and 1994-95, respectively, for 10 Liquor
5 Enforcement Officer I positions and general operating expenses.

6 Imposing a license requirement on tobacco retailers and
7 wholesalers will increase license fee collections of the State
8 Liquor Commission. The estimated increases of General Fund
9 revenue are \$565,000 and \$565,000 in fiscal years 1993-94 and
10 1994-95, respectively.

12 This bill establishes several new Class E crimes. Sentences
13 imposed for Class E offenses must be served in a county jail.
14 The average cost per sentence for a Class E crime is \$4,188 based
15 on an average length of stay of 67 days. The additional costs to
16 the counties for the housing of each offender sentenced under
17 this new crime will not require reimbursement by the State.

18 The additional workload and administrative costs associated
19 with the minimal number of new cases filed in the court system
20 can be absorbed within the budgeted resources of the Judicial
21 Department. The collection of additional fines may increase
22 General Fund revenues by a minor amount.

24 The Department of Human Services will incur some minor
25 additional costs to develop and implement education programs
26 relating to cigarette sales to minors. These costs can be
27 absorbed within the department's existing budgeted resources.'

30
32 STATEMENT OF FACT

34 This amendment is the minority report of the Joint Standing
35 Committee on Legal Affairs. The amendment adds an appropriation
36 section, an allocation section and a fiscal note to the bill.

38 The Department of Corrections prepared the following
39 correctional impact statement on the original bill pursuant to
40 the Maine Revised Statutes, Title 34-A, section 1402: "L.D. 750,
41 'An Act to Protect Children from Illegal Tobacco Sales,' creates
42 a new Class E crime for violation of the Maine Revised Statutes,
43 Title 28-A, section 2607 or 2625. A sentence imposed for a Class
44 E offense must be served in a county jail facility. Looking at
45 sentences served for Class E offenses in county jails, the
46 average length of stay was found to be about 67 days. The
47 average cost per day in a county jail is \$62.51. The average
48 cost per sentence for a Class E crime is \$4,188."

Reported by the Minority of the Committee on Legal Affairs
Reproduced and distributed under the direction of the Clerk of the
House
5/19/93

(Filing No. H-375)

COMMITTEE AMENDMENT