MAINE STATE LEGISLATURE

The following document is provided by the

LAW AND LEGISLATIVE DIGITAL LIBRARY

at the Maine State Law and Legislative Reference Library

http://legislature.maine.gov/lawlib



Reproduced from scanned originals with text recognition applied (searchable text may contain some errors and/or omissions)

Wes
1

46

	D.D. 1007			
2	DATE: 5-23-97 (Filing No. H-684)			
4				
6	Reproduced and distributed under the direction of the Clerk of the House.			
8				
10	STATE OF MAINE HOUSE OF REPRESENTATIVES 118TH LEGISLATURE			
12	FIRST SPECIAL SESSION			
14	HOUSE AMENDMENT "A" to H.P. 1338, L.D. 1887, Bill, "An Act			
16	Regarding Health and the Prevention of Smoking"			
18	Amend the bill by striking out everything after the enacting clause and before the summary and inserting its place the			
20	following:			
22	PART A			
24	Sec. A-1. 36 MRSA §4365, as amended by PL 1989, c. 588, Pt. D, §1, is repealed and the following enacted in its place:			
26 28	§4365. Rate of tax			
30	A tax is imposed on all cigarettes imported into this State or held in this State by any person for sale at the rate of 18.5			
3'2	mills for each cigarette. Payment of the tax is evidenced by the affixing of stamps to the packages containing the cigarettes.			
34	Beginning November 1, 1997, the tax is imposed at the rate of 37 mills for each cigarette.			
36	Sec. A-2. 36 MRSA §4365-D is enacted to read:			
38	Dec. 12-2. De l'Ardra 3-1000 n 15 enacted de 1eau.			
4.0	§4365-D. Rate of tax beginning November 1, 1997			
-∓-∪	Beginning November 1, 1997, the following provisions apply			
42	to cigarettes held for resale on that date.			
44	1. Stamped rate. Cigarettes stamped at the rate of 18.5			
	mills per cigarette and held for resale after October 31, 1997			

Page 1-LR2566(4)

are subject to tax at the rate of 37 mills per cigarette.

2. Liability. A person pos		
liable for the difference betwee	· ·	
<u>cigarette and the tax rate of 18</u> before November 1, 1997. Stamps		
imposed by this section must		
cigarettes held for resale as or		-
cigarettes held in vending mac		
require that stamp.		
3. Vending machines. Notw		
of this chapter, it is presum		
machines are filled to capacity		
<u>imposed by this section must be r</u>		
<u>against this inventory tax must b</u>		
at the 37 mill rate placed in ver	nding machines before	November 1,
1997.		
A Dammont Dannaut of to	he too immedal has	
4. Payment. Payment of t must be made to the State Tax		
accompanied by forms prescribed by		TA 1' 1930'
decompanied by roims preserved b	y cree addedsor.	un.
		Oatobor 1
Sec. A-3. Effective date. Thi	s Part takes effect	. Occober 1,
Sec. A-3. Effective date. Thi 1997.	s Part takes effect	. October 1,
1997.		. October 1,
		. October 1,
1997. PAR	ст В	
1997.	TB following funds are	appropriated
PAR Sec. B-1. Appropriation. The	C TB following funds are t the purposes of thi	appropriated
PAR Sec. B-1. Appropriation. The	TB following funds are	appropriated
PAR Sec. B-1. Appropriation. The from the General Fund to carry ou ADMINISTRATIVE AND FINANCIA	TB following funds are t the purposes of thi 1997-98	appropriated
PAR Sec. B-1. Appropriation. The from the General Fund to carry ou	TB following funds are t the purposes of thi 1997-98	appropriated
PAR Sec. B-1. Appropriation. The from the General Fund to carry ou ADMINISTRATIVE AND FINANCIA SERVICES, DEPARTMENT OF	TB following funds are t the purposes of thi 1997-98	appropriated
PAR Sec. B-1. Appropriation. The from the General Fund to carry ou ADMINISTRATIVE AND FINANCIA	TB following funds are t the purposes of thi 1997-98	appropriated
PAR Sec. B-1. Appropriation. The from the General Fund to carry ou ADMINISTRATIVE AND FINANCIA SERVICES, DEPARTMENT OF Bureau of Taxation	following funds are t the purposes of thi 1997-98	appropriated is Act. 1998-99
PAR Sec. B-1. Appropriation. The from the General Fund to carry ou ADMINISTRATIVE AND FINANCIA SERVICES, DEPARTMENT OF Bureau of Taxation Positions - Legislative Coun	following funds are t the purposes of thi 1997-98	appropriated is Act. 1998-99
PAR Sec. B-1. Appropriation. The from the General Fund to carry out ADMINISTRATIVE AND FINANCIA SERVICES, DEPARTMENT OF Bureau of Taxation Positions - Legislative Countersonal Services	following funds are to the purposes of this state of the	appropriated is Act. 1998-99 (1.000) \$32,904
PAR Sec. B-1. Appropriation. The from the General Fund to carry ou ADMINISTRATIVE AND FINANCIA SERVICES, DEPARTMENT OF Bureau of Taxation Positions - Legislative Coun	following funds are t the purposes of thi 1997-98	appropriated is Act. 1998-99
PAR Sec. B-1. Appropriation. The from the General Fund to carry ou ADMINISTRATIVE AND FINANCIA SERVICES, DEPARTMENT OF Bureau of Taxation Positions - Legislative Countersonal Services All Other	following funds are to the purposes of this 1997-98 L t (1.000) \$15,903 38,920	appropriated is Act. 1998-99 (1.000) \$32,904
PAR Sec. B-1. Appropriation. The from the General Fund to carry out ADMINISTRATIVE AND FINANCIA SERVICES, DEPARTMENT OF Bureau of Taxation Positions - Legislative Counter Personal Services All Other Capital Expenditures	following funds are to the purposes of this 1997-98 L t (1.000) \$15,903 38,920	appropriated is Act. 1998-99 (1.000) \$32,904
PAR Sec. B-1. Appropriation. The from the General Fund to carry out ADMINISTRATIVE AND FINANCIA SERVICES, DEPARTMENT OF Bureau of Taxation Positions - Legislative Countersonal Services All Other Capital Expenditures Provides funds for one	following funds are to the purposes of this 1997-98 L t (1.000) \$15,903 38,920	appropriated is Act. 1998-99 (1.000) \$32,904
PAR Sec. B-1. Appropriation. The from the General Fund to carry out ADMINISTRATIVE AND FINANCIA SERVICES, DEPARTMENT OF Bureau of Taxation Positions - Legislative Countersonal Services All Other Capital Expenditures Provides funds for one Revenue Agent position,	following funds are to the purposes of this 1997-98 L t (1.000) \$15,903 38,920 10,000	appropriated is Act. 1998-99 (1.000) \$32,904

Page 2-LR2566(4)

expenses to administer and

HOUSE AMENDMENT " to H.P. 1338, L.D. 188

HOUSE AM

enforce the cigarette tax

4	DEPARTMENT OF ADMINISTRATIVE AN FINANCIAL SERVICES	ND	
6	TOTAL	\$64,823	\$86,344
8	MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE		
10	ABUSE SERVICES, DEPARTMENT OF		
12	Departmentwide		
14	All Other	\$9,042,393	\$15,387,932
16			
18	Provides funds for residential services to persons served by the		
20	department. At the request of the Commissioner of the		4 - 4 -
22	Department of Mental Health, Mental Retardation and		
24	Substance Abuse Services, the State Budget Officer is		
26	authorized to transfer these amounts by Financial Order and to other Department of		
30	Mental Health, Mental Retardation and Substance		
32	Abuse Services programs in order to reflect expenditures		
3.4	in the proper accounts.		
34	DEPARTMENT OF MENTAL HEALTH,		
36	MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES		
38	TOTAL	\$9,042,393	\$15,387,932
40	TREASURER OF STATE, OFFICE OF THE	E	
42	State-Municipal Revenue Sharing		
44	All Other	\$9,042,393	\$15,387,932
46	Provides funds to increase amounts available for		
48	distribution to		
	municipalities through the		

Page 3-LR2566(4)

HOUSE AMENDMENT " to H.P. 1338, L.D. 1887

state-municipal revenue sharing program.

_				
4		ישצאי		
6	TREASURER OF STATE, OFFICE OF T TOTAL	\$9,042,393	\$15,387,932	
8	TOTAL APPROPRIATIONS	\$18,149,609	\$30,862,208'	
10	Further amend the bill by str note and inserting in its place the	_	of the fiscal	
12	note and inderesting in item place and i			
14	FISCAL NOTE			
16		1997-98	1998-99	
18	APPROPRIATIONS/ALLOCATIONS			
20	General Fund	\$18,149,609	\$30,862,208	
22	REVENUES			
24	General Fund Other Funds	\$18,469,531 20,677	\$31,430,606 35,186	
26	This bill will result in a n	at imarana af	Comenal Fund	
28	resources of \$319,922 and \$568,398 1998-99, respectively. The cost of	in fiscal year	s 1997-98 and	
30	of support for the Department Retardation and Substance Abuse Serv			
32	over time. The revenue from the inc projected to decline over time.			
34				
36	Increasing the cigarette tax ef increase General Fund revenue by 1997-98 and \$30,775,864 in fiscal years.	\$18,084,786 i		
38				
40	The increase in price affecting General Fund revenue by \$384,745 \$654,742 in fiscal year 1998-99.	in fiscal yea	r 1997-98 and	
42	dedicated revenue to the Lo state-municipal revenue sharing wi	cal Governmen	t Fund for	

The Bureau of Taxation will require additional General Fund appropriations of \$64,823 and \$86,344 in fiscal years 1997-98 and 1998-99, respectively, for one Revenue Agent position effective January 1, 1998, one contract investigator and related

44

46

48

respectively.

Page 4-LR2566(4)

HOUSE AMENDMENT " $ot\!f$ " to H.P. 1338, L.D. 1887

HOUSE A adminis 2 tax law

administrative expenses to administer and enforce the cigarette tax laws.

This bill also provides General Fund appropriations of \$9,042,393 and \$15,387,932 in fiscal years 1997-98 and 1998-99, respectively, to the Department of Mental Health, Mental Retardation and Substance Abuse Services for residential services for individuals served by the department.

This bill also provides General Fund appropriations of \$9,042,393 and \$15,387,932 in fiscal years 1997-98 and 1998-99, respectively, to the Office of the Treasurer of the State to increase the amount available for distribution to municipalities through the state-municipal revenue sharing program.'

16

10

12

14

SUMMARY

18

20

This amendment retains the same increase in the cigarette tax as established in the bill, but alters the distribution of the resulting revenue, with 1/2 funding property tax relief and 1/2 funding housing for adults under the care of the Department of Mental Health, Mental Retardation and Substance Abuse Services.

24

22

26

28

SPONSORED BY:

(Representative COWGER

30 TOWN: Hallowell

32

Page 5-LR2566(4)