

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)

RWS

DATE: 3-29-00

(Filing No. H-963)

MARINE RESOURCES

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1883, L.D. 2618, Bill, "An Act to Implement the Recommendations of the Joint Standing Committee on Marine Resources Relating to the Review of the Maine Sardine Council Under the State Government Evaluation Act"

Amend the bill in section 4 by striking out all of the first sentence (page 1, lines 35 to 39 in L.D.).

Further amend the bill in section 4 in the 5th line (page 1, line 39 in L.D.) by striking out the following: "remaining"

Further amend the bill in section 4 in the 6th line (page 1, line 40 in L.D.) by striking out the following: "March 31," and inserting in its place the following: 'April 15,'

Further amend the bill in section 4 in the 9th line (page 1, line 43 in L.D.) by inserting after the following: "subsection 7" the following: 'as a refund of taxes paid'

Further amend the bill in section 4 in the 2nd paragraph in the first line (page 2, line 1 in L.D.) by inserting after the following: "the audit" the following: 'procedures'

Further amend the bill by inserting after section 4 the following:

'Sec. 5. Termination of Maine Sardine Council. Notwithstanding the Maine Revised Statutes, Title 32, chapter 61, subchapter II, the Maine Sardine Council shall cease its operations and activities on March 31, 2000.

Sec. 6. Audit prior to dissolution. Notwithstanding the Maine Revised Statutes, Title 32, section 4167, subsection 8,

COMMITTEE AMENDMENT

R & S.

COMMITTEE AMENDMENT "A" to H.P. 1883, L.D. 2618

2 prior to the dissolution of the Maine Sardine Council, the State
Auditor must perform audit procedures on the financial records
4 of the council and report the findings to the joint standing
committee of the Legislature having jurisdiction over marine
6 resource matters. The council shall reimburse the State Auditor
for costs incurred by the State Auditor to perform the audit
procedures.

8
10 **Sec. 7. Allocation.** The following funds are allocated from
Other Special Revenue funds to carry out the purposes of this Act.

12 **2000-01**

14 **MAINE SARDINE COUNCIL**

16 **Maine Sardine Council**

18 All Other (\$400,000)

20 Deallocates funds to reflect
22 the repeal of the Maine
Sardine Council.'

24 Further amend the bill in section 5 in the 3rd line (page 2,
26 line 9 in L.D.) by striking out the following: "February" and
inserting in its place the following: 'March' and in the last
28 line (page 2, line 12 in L.D.) by striking out the following:
"February" and inserting in its place the following: 'March'

30 Further amend the bill in section 6 in the 3rd and 4th lines
32 (page 2, lines 16 and 17 in L.D.) by striking out the following:
"March 31, 2000 and the Maine Sardine Council shall cease its
34 activities and terminate on that date" and inserting in its place
the following: 'April 15, 2000'

36 Further amend the bill by relettering or renumbering any
38 nonconsecutive Part letter or section number to read
consecutively.

40 Further amend the bill by inserting at the end before the
42 summary the following:

44 **FISCAL NOTE**

46 **2000-01**

48 **APPROPRIATIONS/ALLOCATIONS**

50 Other Funds (\$400,000)

R. & S.

2 **REVENUES**

4 Other Funds (\$400,000)

6 This bill repeals the sardine development tax effective
retroactively to March 1, 2000. This tax is collected as
8 dedicated revenue and is paid to the Maine Sardine Council. The
budgeted amounts to be collected from this tax are \$400,000
10 annually in fiscal year 1999-00 and fiscal year 2000-01. Current
estimates of the revenue from this tax are substantially below
12 the budgeted amounts. In fiscal year 1998-99, this tax generated
\$90,629. Collections in fiscal year 1999-00 through the end of
14 February were \$73,416. The amount of the dedicated revenue loss
and the amounts to be refunded to packers of sardines in fiscal
16 year 1999-00 will depend on the effective date of this Act. The
reductions of dedicated revenue are currently estimated to be
18 less than \$20,000 in fiscal year 1999-00 and less than \$100,000
in fiscal year 2000-01.

20 This bill includes an Other Special Revenue funds
22 deallocation of \$400,000 in fiscal year 2000-01 to reflect the
repeal of the council. The value of the council's assets which
24 are to be distributed among the 3 packer representatives can not
be determined at this time.

26 The State Auditor will incur some minor additional costs to
28 perform audit procedures and make a report to the Marine
Resources Committee. These costs can be absorbed within the
30 Department of Audit's existing budgeted resources.'

32 **SUMMARY**

34 This amendment requires the State Auditor to perform audit
36 procedures rather than an audit on the financial records of the
Maine Sardine Council prior to the dissolution of the council.
38 The amendment repeals the sardine excise tax on March 1, 2000
rather than February 1, 2000 and requires all accrued net assets
40 of the council as of April 15, 2000 to be transferred as a refund
of taxes paid to the 3 packers with representatives on the
42 council as of January 31, 2000. The amendment strikes the
provision that would have required the council to remit \$5,000 to
44 the State Treasurer to be credited to the marine research fund.

46 The amendment specifies that the council shall cease its
operations and activities on March 31, 2000 and repeals the laws
48 establishing the council, effective April 15, 2000.

R. & S.

COMMITTEE AMENDMENT "A" to H.P. 1883, L.D. 2618

2 It also adds an allocation section and a fiscal note to the bill.

COMMITTEE AMENDMENT