

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)



120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 1894

S.P. 692

In Senate, December 17, 2001

An Act Regarding Cigarette Tax Stamps.

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 17, 2001. Referred to the Committee on Taxation and ordered printed pursuant to Joint Rule 308.2

A handwritten signature in cursive script that reads "Pamela L. Cahill".

PAMELA L. CAHILL
Secretary of the Senate

Presented by Senator DAGGETT of Kennebec.

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4
6 **Whereas,** this Act must take effect before the expiration of
the 90-day period in order to restore the law regarding cigarette
tax stamps that was previously in effect as soon as possible; and

8
10 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
12 necessary for the preservation of the public peace, health and
safety; now, therefore,

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

16 **Sec. 1. 36 MRSA §4366-A, sub-§2,** as repealed and replaced by
18 PL 2001, c. 439, Pt. SSSS, §3, is repealed and the following
enacted in its place:

20 **2. Provided to sellers.** The State Tax Assessor shall
22 provide stamps suitable to be affixed to packages of cigarettes
as evidence of the payment of the tax imposed by this chapter.
24 The assessor shall sell cigarette stamps to licensed distributors
at a discount of 2.5% of their face value. The assessor may
26 permit a licensed distributor to pay for the stamps within 30
days after the date of purchase, if a bond satisfactory to the
28 assessor in an amount not less than the sale price of the stamps
has been filed with the assessor conditioned upon payment for the
30 stamps.

32 **Sec. 2. Retroactivity.** This Act applies retroactively to July
1, 2001.

34 **Emergency clause.** In view of the emergency cited in the
36 preamble, this Act takes effect when approved.

38
40 **SUMMARY**

42 This bill changes the law regarding cigarette tax stamps
enacted by the First Regular Session of the 120th Legislature by
replacing it with the law that was previously in effect. Current
44 law requires the State Tax Assessor to sell cigarette stamps to
licensed cigarette distributors at a discount of 2.16% from face
46 value for stamps sold prior to July 1, 2002 and 2.03% for stamps
sold on or after July 1, 2002. This bill requires the State Tax
48 Assessor to sell these stamps at a discount of 2.5% from face
value and applies this change retroactively to July 1, 2001.