

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 425

H.P. 341

House of Representatives, January 29, 2007

### **An Act Regarding the Accounting Procedure for Certain State Programs**

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Reference to the Committee on Taxation suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative HOLMAN of Fayette.  
Cosponsored by Representatives: CROSTHWAITE of Ellsworth, FLOOD of Winthrop,  
MILLETT of Waterford, ROBINSON of Raymond, TARDY of Newport, Senators: MILLS of  
Somerset, NASS of York.

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

2 **PART A**

3 **Sec. A-1. 5 MRSA §1547, sub-§1**, as enacted by PL 1999, c. 731, Pt. RRR, §1  
4 and amended by PL 2003, c. 600, §4, is further amended to read:

5 **1. Office of the State Controller shall complete financial statements, notes and**  
6 **other documentation.** Following the official close of the State's fiscal year ending on  
7 June 30th, the Department of Administrative and Financial Services, Office of the State  
8 Controller, under the direction of the State Controller, shall prepare and complete all  
9 financial statements, notes and other documentation as considered necessary by the State  
10 Controller in accordance with all governing rules, statutes and generally accepted  
11 accounting principles. The report must identify all nonexpenditure payments that are  
12 accounted for as an offset to revenue. This information must be made available to the  
13 Department of Audit no later than November 1st of that year.

14 **Sec. A-2. 5 MRSA §1663** is amended to read:

15 **§1663. Scope of budget**

16 The budget of the State Government ~~shall~~ must present a complete financial plan for  
17 each fiscal year of the ensuing biennium. It ~~shall~~ must set forth all proposed expenditures  
18 for the administration, operation and maintenance of the departments and agencies of the  
19 State Government; all nonexpenditure payments that are accounted for as an offset to  
20 revenue; all interest and debt redemption charges during each fiscal year; and all  
21 expenditures for capital projects to be undertaken and executed during each fiscal year of  
22 the biennium. In addition thereto, the state budget ~~shall~~ must set forth the anticipated  
23 revenues of the State Government and any other additional means of financing  
24 expenditures proposed for each fiscal year of the biennium.

25 **PART B**

26 **Sec. B-1. 36 MRSA §6203-A**, as enacted by PL 2003, c. 673, Pt. BB, §2, is  
27 repealed.

28 **Sec. B-2. 36 MRSA §6203-B** is enacted to read:

29 **§6203-B. Claim to be paid from General Fund**

30 The State Tax Assessor shall certify that the claimant is eligible for reimbursement  
31 under this chapter. The assessor shall determine the benefit for each claimant and shall  
32 pay the benefit from General Fund appropriations for the Maine Residents Property Tax  
33 Program.

34 **Sec. B-3. 36 MRSA §6221** is enacted to read:

1 **§6221. Financial projections report**

2 **1. Report to Legislature.** By January 15th annually, the State Tax Assessor shall  
3 submit to the joint standing committee of the Legislature having jurisdiction over  
4 appropriations and financial affairs and the joint standing committee of the Legislature  
5 having jurisdiction over taxation matters a report that contains the following information  
6 with regard to the projected cost of benefits under this chapter:

7 A. The projected costs of benefits for the current biennium and ensuing 2 biennia;  
8 and

9 B. The economic factors and underlying assumptions that contribute to the projected  
10 costs.

11 **Sec. B-4. Transfer; circuit breaker reserve.** The State Controller shall transfer  
12 any balance in the circuit breaker reserve account on June 30, 2009 to General Fund  
13 undedicated revenue within the individual income tax category.

14 **Sec. B-5. Effective date.** Those sections of this Part that repeal the Maine  
15 Revised Statutes, Title 36, section 6203-A and enact Title 36, section 6203-B take effect  
16 July 1, 2009.

17 **PART C**

18 **Sec. C-1. 36 MRSA §700-B,** as enacted by PL 2005, c. 623, §1, is amended to  
19 read:

20 **§700-B. Certification and payment of claim**

21 **1. Certification.** By June 30, 2009 and each subsequent year, the State Tax  
22 Assessor shall certify to the State Controller amounts certified to the Treasurer of State as  
23 reimbursements to be paid to municipalities during the fiscal year under section 694,  
24 subsection 5. The Treasurer of State shall certify to the State Controller payments due  
25 under section 700-A.

26 **2. Payment.** ~~The State Controller shall transfer amounts certified under subsection 1~~  
27 ~~to the Business Equipment Tax Reimbursement reserve account established, maintained~~  
28 ~~and administered by the State Controller from the General Fund undedicated revenue~~  
29 ~~within the individual income tax category after the reduction for the transfer to the Local~~  
30 ~~Government Fund required by Title 30-A, section 5681, subsection 5. The assessor and~~  
31 ~~the Treasurer of State shall pay amounts required under section 694, subsection 5 and~~  
32 ~~section 700-A from General Fund appropriations for municipal business equipment tax~~  
33 ~~reimbursement.~~

34 **Sec. C-2. 36 MRSA §6656, sub-§1,** as enacted by PL 2005, c. 618, §20 and  
35 affected by §22, is amended to read:

36 **1. Reimbursement claim.** Notwithstanding any other provision of law, except as  
37 provided in section 6652 and section 6662, upon receipt of a timely and properly  
38 completed claim for reimbursement, the State Tax Assessor shall certify that the claimant

