

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 1225

H.P. 916

House of Representatives, March 22, 2011

**An Act To Create an Income Tax Return Checkoff To Fund Cancer
Screening, Detection and Prevention**

Reference to the Committee on Taxation suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative STRANG BURGESS of Cumberland.
Cosponsored by President RAYE of Washington and
Representatives: BEAUDOIN of Biddeford, BEAVERS of South Berwick, BECK of
Waterville, BELIVEAU of Kittery, BERRY of Bowdoinham, BLACK of Wilton, BLODGETT
of Augusta, BOLAND of Sanford, BRIGGS of Mexico, BURNS of Whiting, CELLI of
Brewer, CHASE of Wells, CHIPMAN of Portland, CLARK of Millinocket, CLARKE of Bath,
CURTIS of Madison, DAMON of Bangor, DAVIS of Sangerville, DILL of Cape Elizabeth,
DION of Portland, EDGECOMB of Caribou, ESPLING of New Gloucester, FITZPATRICK of
Houlton, FOSTER of Augusta, GILBERT of Jay, GRAHAM of North Yarmouth, GUERIN of
Glenburn, HANLEY of Gardiner, HARLOW of Portland, HARMON of Palermo, HOGAN of
Old Orchard Beach, HUNT of Buxton, INNES of Yarmouth, JOHNSON of Eddington,
KAENRATH of South Portland, KESCHL of Belgrade, KUMIEGA of Deer Isle, LAJOIE of
Lewiston, LONGSTAFF of Waterville, MAKER of Calais, MALABY of Hancock, MARTIN
of Eagle Lake, McCLELLAN of Raymond, McFADDEN of Dennysville, MORRISON of
South Portland, NELSON of Falmouth, O'CONNOR of Berwick, OLSEN of Phippsburg,
PARKER of Veazie, PARRY of Arundel, PEOPLES of Westbrook, PETERSON of Rumford,
PICCHIOTTI of Fairfield, RANKIN of Hiram, ROCHELO of Biddeford, ROSEN of
Bucksport, RUSSELL of Portland, SOCTOMAH of the Passamaquoddy Tribe, STEVENS of
Bangor, THERIAULT of Madawaska, TIMBERLAKE of Turner, TUTTLE of Sanford, VOLK
of Scarborough, WAGNER of Lewiston, WILLETTE of Mapleton, WOOD of Sabattus,
Senators: COLLINS of York, COURTNEY of York, GERZOFSKY of Cumberland,
HASTINGS of Oxford, HOBBS of York, LANGLEY of Hancock, MARTIN of Kennebec,
RECTOR of Knox, SAVIELLO of Franklin, SCHNEIDER of Penobscot.

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

2 **Sec. 1. 22 MRSA §1407, sub-§4**, as enacted by PL 2007, c. 341, §1, is amended
3 to read:

4 **4. Comprehensive Cancer Screening, Detection and Prevention Fund; funding.**
5 The Comprehensive Cancer Screening, Detection and Prevention Fund is established
6 within the department to fund or assist in funding the comprehensive cancer screening,
7 detection and prevention program should it be established pursuant to subsection 1,
8 paragraph E. Any balance in the fund does not lapse but is carried forward to be
9 expended for the same purposes in succeeding fiscal years. The fund must be deposited
10 with and maintained and administered by the department. The fund may receive funds
11 from any non-General Fund source, including revenues from the income tax checkoff
12 under Title 36, section 5291, grants ~~or~~ and contributions of money from the public or
13 private sector, to carry out the purposes of subsection 1, paragraph E.

14 **Sec. 2. 36 MRSA §5291** is enacted to read:

15 **§5291. Comprehensive Cancer Screening, Detection and Prevention Fund checkoff**

16 **1. Comprehensive Cancer Screening, Detection and Prevention Fund.**
17 Taxpayers who, when filing their returns, are entitled to a refund under this Part may
18 designate that a portion of that refund be paid into the Comprehensive Cancer Screening,
19 Detection and Prevention Fund established in Title 22, section 1407, subsection 4. A
20 taxpayer who is not entitled to a refund under this Part may contribute to the
21 Comprehensive Cancer Screening, Detection and Prevention Fund by including with that
22 taxpayer's return sufficient funds to make the contribution. Each individual income tax
23 return form must contain a designation in substantially the following form: "Contribution
24 to Comprehensive Cancer Screening, Detection and Prevention Fund: () \$5, () \$10, ()
25 \$25 or () Other \$..."

26 **2. Contributions credited to Comprehensive Cancer Screening, Detection and**
27 **Prevention Fund.** The State Tax Assessor shall determine annually the total amount
28 contributed pursuant to subsection 1. Prior to the beginning of the next year, the assessor
29 shall deduct the cost of administering the Comprehensive Cancer Screening, Detection
30 and Prevention Fund checkoff, but not exceeding \$5,000 annually, and report the
31 remainder to the Treasurer of State, who shall credit that amount to the Comprehensive
32 Cancer Screening, Detection and Prevention Fund established in Title 22, section 1407,
33 subsection 4.

34 **SUMMARY**

35 This bill creates a checkoff on the income tax form to allow tax filers to donate to the
36 Comprehensive Cancer Screening, Detection and Prevention Fund for funding the cancer
37 prevention and control program.