

# MAINE STATE LEGISLATURE

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SMG  
ROFS

MINORITY

L.D. 1546

Date: 5/17/2013

(Filing No. S-96)

VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE

SENATE

126TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 589, L.D. 1546, Bill, "An Act To Strengthen Maine's Hospitals, Increase Access to Health Care and Provide for a New Spirits Contract"

Amend the bill by striking out the title and substituting the following:

**'An Act To Enhance Revenues to the State from the Sale of Spirits and To Provide a Source of Payment for Maine's Hospitals'**

Amend the bill by striking out all of Parts C, D, E and F.

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment is the minority amendment to the bill reported out of the Joint Standing Committee on Veterans and Legal Affairs regarding the wholesale spirits contract.

This amendment removes those parts of the bill related to MaineCare expansion.

FISCAL NOTE REQUIRED

(See attached)



# 126th MAINE LEGISLATURE

LD

LR 2143(02)

## An Act To Strengthen Maine's Hospitals, Increase Access to Health Care and Provide for a New Spirits Contract

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-96)  
 Committee: Veterans and Legal Affairs  
 Fiscal Note Required: Yes

### Fiscal Note

	FY 2013-14	FY 2014-15	Projections FY 2015-16	Projections FY 2016-17
<b>Net Cost (Savings)</b>				
General Fund	\$0	(\$1,000,000)	(\$750,000)	(\$750,000)
<b>Appropriations/Allocations</b>				
Federal Expenditures Fund	\$301,700,000	\$0	\$0	\$0
Other Special Revenue Funds	\$188,570,000	\$2,662,000	\$6,201,600	\$7,000,000
<b>Revenue</b>				
General Fund	\$0	\$1,000,000	\$750,000	\$750,000
Other Special Revenue Funds	\$188,570,000	\$2,662,000	\$6,201,600	\$7,000,000

### Fiscal Detail and Notes

Parts A and C of this bill implement the transition of the process for liquor sales and operations when the current lease arrangement ends at the close of fiscal year 2013-14. Under the revised contracting process, the net revenue from liquor sales and operations is projected to increase by roughly \$25 million in fiscal year 2014-15 over current budgeted net revenue and continue increasing by additional amounts each fiscal year over the 10-year contract period for the operation and management of liquor sales in the State. The net change in revenue includes the effect of changes in agent discounts, pricing strategies to increase and recover sales from New Hampshire and the elimination of the administration of the sale of fortified wines by the State. The amount of the projected increase in revenue will depend on the effectiveness of the competitive bidding process for the contracts for the various aspects of liquor sales and marketing and enforcement strategies to recover sales.

Part B of the bill authorizes the Maine Municipal Bond Bank with the approval of the Governor to issue liquor operation revenue bonds up to \$188,500,000 plus financing costs. The net proceeds from these revenue bonds will be used for the state share of the payments to health care providers for services provided prior to December 1, 2012 and will be transferred from the bond bank to the Health Care Liability Retirement Fund, an Other Special Revenue Funds account within the Department of Health and Human Services. The estimated total amount of the payments, both state and federal, to health care providers for services provided prior to December 1, 2012 is approximately \$490,200,000.

If the full amount of the \$188,500,000 is not required due to the timing of the sale of the bonds and the availability of the proceeds, either the full authorization will not be issued and annual debt service will be lower or the proceeds in excess of the amounts required for the state share of the payments to health care providers will be transferred to the bond bank to cover debt service costs.

All net revenue from liquor sales is deposited in the Liquor Operations Revenue Fund at the Maine Municipal Bond Bank to first cover annual debt service costs of the revenue bonds, approximately \$25 million per year. Total net borrowing costs above the \$188,500,000 are projected to be \$33,766,100, based on the full authorization being utilized.

Excess revenue above debt service requirements will be transferred first to the General Fund through fiscal year 2016-17 to cover current budgeted revenue estimates from liquor sales and operations and to offset the General Fund additional enforcement costs of \$1,000,000 during the 2014-2015 biennium to be appropriated in the Governor's proposed 2014-2015 Biennial Budget Bill, LD 1509. Additional revenue received above the General Fund amounts will be credited to the Other Special Revenue Funds accounts for drinking water and wastewater projects up to the amounts needed to match available federal funds or up to \$7,000,000 per year. The amounts not required to match available federal funds for the water programs will be transferred to the Department of Transportation for highway and bridge improvements. The total projected amounts to be allocated to the water programs in fiscal year 2014-15 are \$2,662,000.

After fiscal year 2016-17 and until the revenue bonds are retired, up to \$7,000,000 will be transferred to the water programs and the Department of Transportation with no General Fund revenue from liquor revenue during this period. Excess revenue from liquor operations after the debt service costs and the \$7,000,000 annually will be retained by the bond bank until the revenue bonds are retired. At that time, the bond bank will transfer the excess reserve to the Maine Budget Stabilization Fund. In fiscal year 2023-24, the projected transfer to the Maine Budget Stabilization Fund will be roughly \$138,000,000.