

MAINE STATE LEGISLATURE

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Date 6/20/23

LD 1714
(Filing No H-620)

TAXATION

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H P 1103, L D 1714, "An Act to Create a Sustainable Funding Source for Recovery Community Centers Using a Percentage of the Adult Use Cannabis Tax Revenue"

Amend the bill in section 1 in §20012 in subsection 1 by inserting after paragraph A the following

- 'B "Independent, nonprofit organization" means a nonprofit organization that
 - (1) Operates its own agency that is a tax-exempt organization under 26 United States Code, Section 501(c)(3), or
 - (2) Has a fiscal agent with a fiduciary relationship between a recovery community center and another agency and
 - (a) The fiscal agent is limited to managing assets and distributing funds to the recovery community center, free from conflicting self-interests, for the purpose of supporting the recovery community center's mission,
 - (b) The recovery community center is autonomous in its own decision making, program development, recovery services provided and advocacy efforts through the leadership of an executive board or advisory board consisting of at least 51% members who are individuals in recovery, and
 - (c) The fiscal agent uses no more than 4% of the revenue received from the fund for administrative purposes'

Amend the bill in section 1 in §20012 in subsection 1 by relettering the paragraphs to read alphabetically

Amend the bill in section 1 in §20012 by striking out all of subsection 3 (page 1, lines 30 and 31 in L D) and inserting the following

'3. Uses of fund. Money credited to the fund pursuant to subsection 2 must be expended by the office to fund recovery community centers Money distributed from the

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to H P 1103, L D 1714

1 fund must supplement, and may not supplant, the level of funding received from the State
2 by a recovery community center in fiscal year 2022-23 '

3 Amend the bill in section 2 in §1818 in the first indented paragraph in the 6th line (page
4 2, line 3 in L D) by inserting after the following "and" the following 'shall transfer
5 beginning in January 2024 from the revenue remaining after the subtraction for transfer to
6 the Adult Use Cannabis Public Health and Safety and Municipal Opt-in Fund'

7 Amend the bill in section 3 in §4925 in the first indented paragraph in the 5th line (page
8 2, line 13 in L D) by inserting after the following "and" the following 'shall transfer
9 beginning in January 2024 from the revenue remaining after the subtraction for transfer to
10 the Adult Use Cannabis Public Health and Safety and Municipal Opt-in Fund'

11 Amend the bill by inserting after section 3 the following

12 '**Sec. 4. Appropriations and allocations.** The following appropriations and
13 allocations are made

14 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

15 **Recovery Community Centers Fund N445**

16 Initiative Provides allocation to allow expenditures for recovery community centers

17	OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
18	All Other	\$2,233,385	\$5,757,990
19			
20	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$2,233,385</u>	<u>\$5,757,990</u>

21 '
22 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
23 number to read consecutively

24 **SUMMARY**

25 This amendment adds a definition of "independent, nonprofit organization" to clarify
26 the required characteristics for an organization to receive funds for purposes of the bill
27 The amendment also clarifies the use of funds received by recovery community centers and
28 provides that the transfer of excise tax revenue to the Recovery Community Centers Fund
29 begins in January 2024 and must be calculated after the transfer to the Adult Use Cannabis
30 Public Health and Safety and Municipal Opt-in Fund

31 **FISCAL NOTE REQUIRED**

32 (See attached)

COMMITTEE AMENDMENT



131st MAINE LEGISLATURE

LD 1714

LR 1621(02)

An Act to Create a Sustainable Funding Source for Recovery Community Centers Using a Percentage of the Adult Use Cannabis Tax Revenue

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-620)
Committee. Taxation

Fiscal Note Required. Yes

Fiscal Note

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
Net Cost (Savings)				
General Fund	\$2,233,385	\$5,757,990	\$6,564,046	\$7,291,994
Appropriations/Allocations				
Other Special Revenue Funds	\$2,233,385	\$5,757,990	\$6,564,046	\$7,291,994
Revenue				
General Fund	(\$2,233,385)	(\$5,757,990)	(\$6,564,046)	(\$7,291,994)
Other Special Revenue Funds	\$2,233,385	\$5,757,990	\$6,564,046	\$7,291,994

Fiscal Detail and Notes

This bill establishes the Recovery Community Centers Fund within the Department of Health and Human Services, Office of Behavioral Health to fund recovery community center. It dedicates 12% of adult use cannabis sales and excise tax revenues remaining after the transfer to the Adult Use Cannabis Public Health and Safety and Municipal Opt-in Fund to the new fund beginning January 2024. It will reduce General Fund revenue by \$2,233,385 in fiscal year 2023-24 and \$5,757,990 in fiscal year 2024-25.

The bill includes Other Special Revenue Funds allocations to the Department of Health and Human Services of \$2,233,385 in fiscal year 2023-24 and \$5,757,990 in fiscal year 2024-25 to allow expenditure of the new revenue for recovery community centers.