

MAINE STATE LEGISLATURE

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L.D. 1919

DATE: 4/14/04

(Filing No. H-904)

MAJORITY

APPROPRIATIONS AND FINANCIAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
SECOND SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 1420, L.D. 1919, Bill, "An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2004 and June 30, 2005"

Amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; and

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 necessary for the preservation of the public peace, health and safety; now, therefore,

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

PART A

COMMITTEE AMENDMENT

2	General Fund	2003-04	2004-05
	All Other	\$0	(\$24,742,857)
4			
	General Fund Total	\$0	(\$24,742,857)

PART CC

Sec. CC-1. 22 MRSA §1552, as amended by PL 1999, c. 547, Pt. B, §78 and affected by §80, is further amended to read:

§1552. Application procedure

1. Application process; license fees. An applicant for a ~~one-time~~ an annual retail tobacco license shall file an application in the form required by the department. The department shall make provisions for applications under this section. The fee for a ~~one-time~~ retail tobacco license is ~~set by the department at the actual cost of processing the application and issuing the license, up to but not exceeding \$25~~ \$50 annually. The applicant shall enclose the fee with the application for the license.

2. Term of license. All retail tobacco licenses are valid ~~indefinitely~~ for one year unless suspended, revoked or not subject to the transfer under section 1553. Licenses that have been suspended or revoked may be reinstated, as permitted by the District Court decision issued under subchapter ~~II~~ 2, upon the receipt of an application for reinstatement and payment of all penalties and an application fee of ~~\$25~~ \$50.

3. Multiple licenses. A licensee applying for licenses to operate more than one premises or more than one vending machine shall obtain a separate license for each premises and each machine and shall pay the fee prescribed for each premises and each machine.

4. Application fees. All application fees must be deposited in a ~~nonlapsing account to be used by the department to defray administrative costs~~ the General Fund.

5. False answer given intentionally. A person who intentionally gives a false answer in an application for a retail tobacco license violates Title 17-A, section 453.

Sec. CC-2. 22 MRSA §1559-A, as enacted by PL 1995, c. 470, §9 and affected by §19, is repealed.

2 A. Hospital helipads and aviation support infrastructure,
including building additional fueling facilities and
4 upgrading navigational, weather reporting and communications
system's, with the total amount of such grant awards not to
6 exceed \$2,600,000; and

8 B. The capital costs of acquisition of a mobile advanced
human patient simulator mannequin system with the total
10 amount of such an award not to exceed \$400,000. This
mannequin system must be made available to ensure
12 appropriate training of first responders and ambulance and
hospital personnel throughout the State on a recurrent basis.
14

2. In establishing criteria for the awarding of grants, the
16 Department of Public Safety shall consider the availability of
matching funds, in the form of either cash or in-kind
18 contributions, for use in the grant project.

20 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved, except as
22 otherwise provided.'

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SUMMARY

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PART A

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Part A appropriates and allocates funds.

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PART B

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Part B makes appropriations and allocations for approved
34 reclassifications and range changes.

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PART C

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Part C does the following.

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1. It authorizes the Commissioner of Administrative and
42 Financial Services to appoint an Associate Commissioner,
Administrative Services as a major policy influencing position.

44

2. It amends the provisions of Public Law 2003, chapter 20
46 to clarify the lease-purchase language for Central Fleet
Management to be applicable for each year of the biennium.

48

3. It authorizes the State Budget Officer to transfer
50 savings resulting from the Retirement Incentive Program from
General Fund and Other Special Revenue Fund accounts to the

2 outdoor gathering, changes application and bonding procedures and
increases fees.

4 PART BB

6 Part BB does the following.

8 1. It requires the State Controller to transfer monthly an
amount equivalent to benefits certified under the Maine Residents
10 Property Tax Program from General Fund undedicated revenue within
the individual income tax category to the circuit breaker
12 reserve. The State Tax Assessor is required to pay benefit
amounts to approved applicants. No interest on payments may be
14 allowed. It also eliminates funding to the Maine Residents
Property Tax Program since it is being converted to an offset to
16 the individual income tax line. In fiscal year 2004-05, the
amounts of the transfers are limited to the amounts that were
18 appropriated in fiscal year 2004-05 for this program.

20 PART CC

22 Part CC does the following.

24 1. It requires that retail tobacco licenses be renewed
annually, increases the fee and directs the revenue to the
26 General Fund. It repeals language requiring the transfer of
dedicated funds from the Department of Human Services to the
28 Judicial Department.

30 PART DD

32 Part DD does the following.

34 1. It authorizes unencumbered balances of funds in the
General Assistance program in the Department of Human Services to
36 be carried forward each fiscal year to be used for the same
purposes.

38 2. It amends the law to provide the Department of Human
40 Services with access to information on real estate transfers for
the purpose of determining financial eligibility for MaineCare
42 services.

44 3. It authorizes the State Controller to accept fiscal year
2002-03 balances returned by providers as General Fund
46 unappropriated surplus in fiscal year 2004-05.

48 4. It authorizes the Department of Human Services to
establish minimum record-keeping requirements for agencies
50 administering Temporary Assistance for Needy Families programs.