

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33

Date: (Filing No. H-)

TAXATION

Reproduced and distributed under the direction of the Clerk of the House.

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

COMMITTEE AMENDMENT “ ” 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

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)