

Date: (Filing No. H-)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 339, L.D. 430, Bill, “An Act To Establish and Promote a System of Safe Disposal of Expired Marine Flares”

Amend the bill by inserting after section 1 the following:

'Sec. 2. 36 MRSA c. 725 is enacted to read:

CHAPTER 725

MARINE FLARE DISPOSAL FEE

§5011. Marine flare disposal fee imposed

A fee is imposed on the retail sale in this State of marine flares in the amount of 25¢ per flare for the purpose of offsetting the cost to the General Fund of paying for the marine flare disposal, education and collection programs pursuant to Title 25, chapter 318-A.

1. Marine flare. As used in this chapter, unless the context otherwise indicates, "marine flare" means a device designed to produce a bright flame for use as a signal or marker on the inland or coastal waters of the State or at sea.

2. Exemption. Transactions that, under the laws of this State, are not subject to taxation in accordance with Part 3 are exempt from the fee imposed by this section.

3. Administration. The fee imposed by this section is administered as provided in chapter 7 and Part 3, with the fee imposed pursuant to this chapter to be considered as imposed under Part 3. The revenue derived from the fee imposed by this chapter must be deposited in the General Fund.

4. Effective date. This chapter takes effect January 1, 2020.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

1 **Revenue Services, Bureau of 0002**

2 Initiative: Provides one-time funding for computer programming to update the sales tax
3 return.

4	GENERAL FUND	2019-20	2020-21
5	All Other	\$16,000	\$0
6			
7	GENERAL FUND TOTAL	<u>\$16,000</u>	<u>\$0</u>

8 **ADMINISTRATIVE AND FINANCIAL**
9 **SERVICES, DEPARTMENT OF**
10 **DEPARTMENT TOTALS**

11		2019-20	2020-21
12	GENERAL FUND	\$16,000	\$0
13			
14	DEPARTMENT TOTAL - ALL FUNDS	<u>\$16,000</u>	<u>\$0</u>

15 **PUBLIC SAFETY, DEPARTMENT OF**

16 **Fire Marshal - Office of 0327**

17 Initiative: Provides one-time funding for the purchase of a new high temperature thermal
18 destruction incinerator to be used for the destruction of marine flares and other items as
19 part of the marine flares disposal program established in the Maine Revised Statutes, Title
20 25, chapter 318-A.

21	GENERAL FUND	2019-20	2020-21
22	All Other	\$43,500	\$0
23			
24	GENERAL FUND TOTAL	<u>\$43,500</u>	<u>\$0</u>

25 **PUBLIC SAFETY, DEPARTMENT OF**
26 **DEPARTMENT TOTALS**

27		2019-20	2020-21
28	GENERAL FUND	\$43,500	\$0
29			
30	DEPARTMENT TOTAL - ALL FUNDS	<u>\$43,500</u>	<u>\$0</u>

31 **SECTION TOTALS**

32		2019-20	2020-21
33	GENERAL FUND	\$59,500	\$0

1
2
3
4
5
6
7
8
9
10
11
12

SECTION TOTAL - ALL FUNDS

\$59,500 **\$0**

SUMMARY

This amendment is the minority report of the committee. The amendment adds to the bill a marine flare disposal fee, in a new chapter in the Maine Revised Statutes, Title 36, of 25¢ per flare. The fee will offset the cost to the General Fund of paying for the marine flare education, collection and disposal programs in the bill. The marine flare disposal fee takes effect on January 1, 2020.

The amendment also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED

(See attached)