MAINE STATE LEGISLATURE

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2	DATE: $4-30-04$ (Filing No. S-595)
4	2. 1 30 0 7 (2.2.2.3 not 0 3/3)
6	Reproduced and distributed under the direction of the Secretary of the Senate.
8	CUPATRE OF MAINE
10	STATE OF MAINE SENATE
12	121ST LEGISLATURE SECOND SPECIAL SESSION
14	SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P.
16	1335, L.D. 1813, Bill, "An Act To Make Minor Substantive Changes to the Tax Laws"
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20	Amend the amendment by inserting after the title the following:
22	'Amend the bill by inserting after the enacting clause and before section 1 the following:
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26	'Sec. 1. 36 MRSA §111, sub-§1-A, as amended by PL 2003, c. 479, §1 and affected by §8, is further amended to read:
28	1-A. Code. "Code" means the United States Internal Revenue Code of 1986 and amendments to that Code as of May-28, December
30	<u>31,</u> 2003.''
32	Further amend the amendment in the first paragraph after the title in the 1st line (page 1, line 22 in amendment) by striking
34	out the following: "Amend" and inserting in its place the
36	following: 'Further amend'
38	Further amend the amendment by striking out all of section 3 and inserting in its place the following:
40	'Sec. 3. 36 MRSA §1760, sub-§16, as amended by PL 2003, c. 588, §6, is further amended to read:
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44	16. Hospitals, research centers, churches and schools. Sales to incorporated hospitals, incorporated nonprofit nursing homes licensed by the Department of Human Services, incorporated

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SENATE A	MENDMENT	"H"	to	COMMITTEE	AMENDMENT	"A"	to	н.Р.	1335,
L.D. 181	3								

	nonprofit residential care facilities and incorporated nonprofit
2	assisted housing programs for the elderly licensed by the
	Department of Human Services, incorporated nonprofit home health
4	agencies certified under the United States Social Security Act of
	1965, Title XVIII, as amended, incorporated nonprofit rural
6	community health centers, incorporated nonprofit dental health
	centers, institutions incorporated as nonprofit corporations for
8	the sole purpose of conducting medical research or for the
	purpose of establishing and maintaining laboratories for
10	scientific study and investigation in the field of biology or
	ecology or operating educational television or radio stations,
12	schools, incorporated nonprofit organizations or their affiliates
	whose purpose is to provide literacy assistance or free clinical
14	assistance to children with dyslexia and regularly organized
	churches or houses of religious worship, excepting sales, storage
16	or use in activities that are mainly commercial enterprises.'

Further amend the amendment by inserting after section 3 the following:

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'Further amend the bill by inserting after section 6 the following:

'Sec. 7. 36 MRSA §5122, sub-§1, ¶V, as enacted by PL 2003, c. 451, Pt. II, §2, is amended to read:

V. For tax years beginning on or after January 1, 2003 and before January 1, 2006, the amount claimed as a federal income adjustment for student loan interest under the Code, Section 62 (a)(17), but only for interest paid after 60 months from the start of the loan repayment period; and

Sec. 8. 36 MRSA §5122, sub-§1, ¶W is enacted to read:

W. For tax years beginning on or after January 1, 2004, for an eligible individual as defined by the Code, Section 223 (c)(1), the amount of contributions to the eligible individual's health savings account under the Code, Sections 106 and 223 to the extent that those contributions, exclusive of rollovers, for the taxable year are not included in the eligible individual's federal adjusted gross income.'

Further amend the amendment on page 2 by striking out all of the 1st to 3rd indented paragraphs (page 2, lines 25 to 42 in amendment) and inserting in their place the following:

'Further amend the bill by striking out all of section 11 and inserting in its place the following:

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SENATE AMENDMENT

Rois.

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1335, L.D. 1813

'Sec. 11. Application. That section of this Act that amends the Maine Revised Statutes, Title 36, section 111, subsection 1-A applies to tax years beginning on or after January 1, 2003 and to any prior years as specifically provided by the United States Internal Revenue Code. Those sections of this Act that amend Title 36, section 5122, subsection 2, paragraphs B, L and T and section 5200-A, subsection 2, paragraph C apply to tax years beginning on or after January 1, 2004. That section of this Act that amends Title 36, section 1760, subsection 16 applies to sales occurring on or after August 1, 2004.'

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SUMMARY

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This amendment provides for conformity of the State's tax laws with the United States Internal Revenue Code as of December 31, 2003 except for those provisions of the Code related to health savings accounts. This amendment also makes a technical correction to avoid a conflict by incorporating changes to the Maine Revised Statutes, Title 36, section 1760, subsection 16 that were enacted by Public Law 2003, chapter 588.

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This amendment removes the requirement that the joint standing committee of the Legislature having jurisdiction over taxation matters conduct a review during the 2004 legislative interim of the sales tax exemption for truck bodies and trailers manufactured in Maine.

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SPONSORED BY:

(Senator CATHCART)

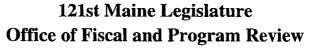
34 COUNTY: Penobscot

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FISCAL NOTE REQUIRED (See attached)

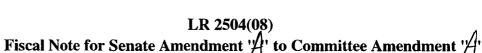
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Approved: 04/29/04



LD 1813

An Act To Make Minor Substantive Changes to the Tax Laws



Sponsor: Sen. Cathcart Fiscal Note Required: Yes

Fiscal Note

Eliminates study costs

Fiscal Detail and Notes

This amendment eliminates a \$5,460 cost to the Legislative budget by removing the requirement that the Taxation Committee meet to conduct a review of the sales tax exemption for truck bodies and trailers manufactured in-state. No deappropriation is needed because there was no appropriation for the study in the bill.