

	L.D. 118				
2	DATE: $4/4/5$ (Filing No. H-/08)				
4					
6	TAXATION				
8					
10	Reproduced and distributed under the direction of the Clerk of the House.				
12	STATE OF MAINE				
14	HOUSE OF REPRESENTATIVES 122ND LEGISLATURE				
16	FIRST REGULAR SESSION				
18	COMMITTEE AMENDMENT " $\mathcal{A}$ " to H.P. 94, L.D. 118, Bill, "An Act				
20	To Provide Tax Relief for People with Functional Limitations"				
22	Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the				
24	following:				
26	'Sec. 1. 36 MRSA §1752, sub-§§6-C and 9-E are enacted to read:				
28	<u>6-C. Mobility-enhancing equipment.</u> "Mobility-enhancing equipment" means equipment that is primarily and customarily used				
30	to provide or increase an individual's ability to move from one place to another, that is appropriate for use in either a home or				
32	a motor vehicle and that is not generally used by persons with normal mobility. "Mobility-enhancing equipment" includes repair				
34	and replacement parts. "Mobility-enhancing equipment" does not include any motor vehicle or equipment on a motor vehicle				
36	normally provided by a motor vehicle manufacturer.				
38	<b>9-E. Prosthetic device.</b> "Prosthetic device" means a replacement, corrective or supportive device worn on or in the				
40	human body in order to artificially replace a missing portion of				
42	the body, prevent or correct physical deformity or malfunction or support a weak or deformed portion of the body. "Prosthetic				
44	device" includes repair and replacement parts.				

Page 1-LR0028(2)

**COMMITTEE AMENDMENT** 

.

COMMITTEE AMENDMENT "H" to H.P. 94, L.D. 118



Sec. 2. 36 MRSA §1760, sub-§5-A, as amended by PL 1975, c. 623, §57, is repealed and the following enacted in its place:

4 <u>5-A. Prosthetic devices and mobility-enhancing equipment.</u> Sales of prosthetic devices and mobility-enhancing equipment.

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

#### 10 ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

12

14

18

2

6

#### Maine Revenue Services 0002

Initiative: Provides one-time funds for the additional printing and mailing costs associated with the change in the exemption for certain prosthetic devices.

	GENERAL FUND	2005-06	2006-07
20	All Other	\$22,000	\$0
22	GENERAL FUND TOTAL	\$22,000	\$0

Sec. 4. Effective date. This Act takes effect October 1, 2005.'

26

28

24

### SUMMARY

This amendment clarifies the items qualifying for a sales 30 tax exemption as prosthetic devices and mobility-enhancing equipment. The definitions included are consistent with uniform 32 definitions developed by the Streamlined Sales Tax Project. The amendment also adds an effective date and appropriations and 34 allocations section.

36

38

## FISCAL NOTE REQUIRED (See attached)

Page 2-LR0028(2)

**COMMITTEE AMENDMENT** 





# **122nd MAINE LEGISLATURE**

## LD 118

LR 0028(02)

## An Act To Provide Tax Relief for People with Functional Limitations

## Fiscal Note for Bill as Amended by Committee Amendment 'A'' Committee: Taxation Fiscal Note Required: Yes

## **Fiscal Note**

	2005-06	2006-07	Projections 2007-08	Projections 2008-09
Net Cost (Savings)				
General Fund	\$295,024	\$394,368	\$410,484	\$427,548
Appropriations/Allocations				
General Fund	\$22,000	\$0	\$0	\$0
Revenue				
General Fund	(\$273,024)	(\$394,368)	(\$410,484)	(\$427,548)
Other Special Revenue Funds	(\$14,976)	(\$21,632)	(\$22,516)	(\$23,452)

### **Fiscal Detail and Notes**

The change in the sales tax exemption for certain prosthetic devices is expected to reduce General Fund revenue by \$273,024 in fiscal year 2005-06 and \$394,368 in fiscal year 2006-07. This bill also includes a one-time General Fund appropriation of \$22,000 in fiscal year 2005-06 for Maine Revenue Services for the additional printing and mailing costs associated with the change in this exemption.