

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Taxation*

July 2003

Members:

*Sen. Stephen S. Stanley, Chair
Sen. Ethan Strimling
Sen. Richard A. Nass*

*Rep. David G. Lemoine, Chair
Rep. Joseph C. Perry
Rep. Bernard E. McGowan
Rep. Deborah L. Simpson
Rep. Arthur L. Lerman
Rep. Edward J. Suslovic
Rep. Harold A. Clough
Rep. Jonathan T. E. Courtney
Rep. Earle L. McCormick
Rep. Joshua A. Tardy*

Staff:

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Maine State Legislature



Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First Regular Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CARRIED OVER PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

LD 559 **An Act To Increase the Value of a Parsonage That is Exempt from the Property Tax** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HUTTON	ONTP	

LD 559 proposed to increase the property tax exemption for parsonages from \$20,000 to \$100,000 and provide that the limit be adjusted annually for inflation.

LD 567 **An Act To Prohibit Government-subsidized Competition with Lodging Establishments** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN	ONTP	

LD 567 proposed to prohibit the use of municipal tax increment financing for a lodging facility.

LD 572 **An Act To Change the Process of Enforcement of a Municipality's Obligations to a School Administrative District** **PUBLIC 212**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUNKER GAGNON	OTP-AM	H-251

LD 572 proposed to repeal current law that allows a school administrative district to issue a warrant to seize and sell the real and personal property of any inhabitant of a municipality that has failed to pay its school tax levy to the district. In its place, the bill proposed to establish a priority lien on the real estate of the municipality that has failed to pay its tax to the district.

Committee Amendment “A” (H-251) proposed to replace the bill. It proposed to update the procedures for enforcement by the treasurer of a school administrative district or a community school district when a municipal treasurer fails to pay monthly installments due to the district. The new procedure proposed to authorize the district treasurer to file an action in Superior Court to recover amounts due, interest, court costs and attorney's fees. The court could order the diversion of state-municipal revenue sharing and tax reimbursements due to the municipality and may attach municipal property and other assets to satisfy the payment due the district.

Enacted law summary:

Public Law 2003, chapter 212 updates the procedures for enforcement by the treasurer of a school administrative district or a community school district when a municipal treasurer fails to pay monthly installments due to the district. The new procedure authorizes the district treasurer to file an action in Superior Court to recover amounts due, interest, court costs and attorney's fees. The court may order the diversion of state-municipal revenue sharing and tax reimbursements due to the municipality and attach municipal property and other assets to satisfy the payment due the district.

LD 573 An Act To Provide Property Tax Relief to Elderly Maine Citizens ONTP

<u>Sponsor(s)</u> COWGER STANLEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 573 proposed to expand the homestead property tax to allow a person who is at least 65 years of age and who has resided in the same house for at least 25 years an additional property tax exemption of \$1,000 of the value of the home for each year the person resides in the home beyond 25 years

LD 574 An Act To Clarify the Definition of Commercial Agricultural Production ONTP

<u>Sponsor(s)</u> DAIGLE MARTIN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 574 proposed to expand the definition of "commercial agricultural production" for purposes of the laws governing sales and use tax to specifically include the commercial production of compost.

LD 579 An Act To Provide a Property Tax Exemption for Parents Whose Children Attend a Private Elementary or Secondary School ONTP

<u>Sponsor(s)</u> COLLINS NASS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 579 proposed to provide a property tax exemption for taxpayers whose dependents attend a private elementary or secondary school. The exemption would be equal to the lower of the amount of tuition paid or the portion of the property tax that is attributable to education funding.