

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*Second Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Taxation*

*July 2006*

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**Members:**

*Sen. Joseph C. Perry, Chair  
Sen. Ethan Strimling  
Sen. Jonathan T. E. Courtney*

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# Maine State Legislature



## Office of Policy and Legal Analysis Office of Fiscal and Program Review

### 122nd Maine Legislature Second 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 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/billsumm.htm](http://www.state.me.us/legis/opla/billsumm.htm)).

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:

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

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 23, 2006.

## Joint Standing Committee on Taxation

LD 1775

An Act To Establish a Refundable Historic Rehabilitation Credit

ONTP

<u>Sponsor(s)</u> MITCHELL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1775 proposed to allow a refundable income tax credit based on qualified historic rehabilitation to a developer that owns 2 or more structures located in the Kennebec Arsenal District National Historic Landmark. The credit would be equal to the federal credit but limited to \$500,000 per year and allowed only for 4 consecutive tax years beginning in 2006.

The substance of this bill was incorporated into the Supplemental Budget Bill as Public Law 2005, chapter 519, Part H, LD 1968, An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2006 and June 30, 2007.

See also LD 2079.

**LD 1796**

Resolve, Concerning the Assessment of Property Subject to Affordable Housing Limitations and Benefits

RESOLVE 170

<u>Sponsor(s)</u> PERRY J CLOUGH		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-531
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LD 1796 proposed, for property tax purposes, to exclude from the “just value” of federal low-income housing credit property the effect of the presence of intangible assets or rights such as contracts, agreements, subsidies, credits and licenses.

**Committee Amendment “A” (S-531)** proposed to change the bill to a resolve directing the Department of Administrative and Financial Services, Bureau of Revenue Services to review factors affecting the assessment of affordable housing property, prepare informational materials for municipal assessors and report to the joint standing committee of the Legislature having jurisdiction over taxation matters by January 10, 2007.

### *Enacted law summary*

Resolve 2005, chapter 170 directs the Department of Administrative and Financial Services, Bureau of Revenue Services to review factors affecting the assessment of affordable housing property for property tax purposes. The resolve also directs the bureau to provide an informational program and materials for municipal assessors and requires a report to the joint standing committee of the Legislature having jurisdiction over taxation matters.