



## 115th MAINE LEGISLATURE

## **SECOND REGULAR SESSION-1992**

Legislative Document

No. 2073

H.P. 1461

House of Representatives, January 7, 1992

Submitted by the Department of Finance pursuant to Joint Rule 24. Reference to the Committee on Taxation suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative MURPHY of Berwick. Cosponsored by Representative BUTLAND of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND NINETY-TWO

An Act to Conform the Maine Income Tax Law for 1991 with the United States Internal Revenue Code.

(EMERGENCY)

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**Emergency preamble. Whereas,** Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the 90-day period would delay the processing of the 6 1991 income tax returns; and

8 Whereas, legislative action is immediately necessary to ensure continued and efficient administration of the Maine Income 10 Tax Law and certain other state taxes; and

12 Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of 14 Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and 16 safety; now, therefore,

18 Be it enacted by the People of the State of Maine as follows:

20 Sec. 1. 36 MRSA §111, sub-§1-A, as amended by PL 1991, c. 33, §1, and affected by §2, is further amended to read:

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1-A. Code. "Code" means the United States Internal Revenue 24 Code of 1986 and amendments to that Code as of December 31, 1990 1991.

Sec. 2. Application. This Act applies to tax years beginning on or after January 1, 1991.

30 **Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

## STATEMENT OF FACT

36 This bill conforms the Maine Income Tax Law with the federal tax laws as of December 31, 1991, for tax years beginning on or after January 1, 1991. It recognizes any technical changes made by the United States Congress to the Tax Reform Act of 1986.

The state estate tax and mining excise tax laws are also 42 affected by this conformity date, since definitions in those laws also refer to the United States Internal Revenue Code.

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Maine income tax returns for 1991 have been prepared in 46 anticipation of continued conformity.

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