

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

---

Legislative Document

No. 871

S.P. 263

In Senate, February 6, 1997

---

**An Act to Encourage the Use of Maine Ports by Allowing an Income Tax  
Credit Equal to the Federal Harbor Maintenance Tax.**

---

Reference to the Committee on Taxation suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator RAND of Cumberland.  
Cosponsored by Representatives: LEMAIRE of Lewiston, THOMPSON of Naples.

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

4 **Sec. 1. 36 MRSA §5219-L is enacted to read:**

6 **§5219-L. Harbor maintenance tax credit**

8 A taxpayer is allowed a credit against the tax otherwise due  
10 under this Part in the amount of the federal harbor maintenance  
12 tax paid by the taxpayer under the Code, Section 4461 or its  
14 successors, subject to the following provisions.

16 **1. Exceptions.** No tax credit is allowed for bulk cargo.  
18 "Bulk cargo" means unsegregated mass commodities, including, but  
20 not limited to, items such as petroleum products, coal and bulk  
22 salt that are carried loose and that are customarily loaded and  
24 unloaded by pumping, shoveling, scooping or other similar means.

26 **2. Limitations.** The credit allowed under this section is  
28 limited in the following manner:

30 **A.** The credit is against only the amount of the federal  
32 harbor maintenance tax that is paid for use of the State's  
34 ports; and

36 **B.** The credit may not exceed the amount of the taxes  
38 otherwise due under this Part.

40 **Sec. 2. Application.** This Act applies to tax years beginning  
on or after January 1, 1998.

32 **SUMMARY**

34 This bill provides an income tax credit for payment of the  
36 federal harbor maintenance tax in order to permit Maine ports to  
38 compete with ports in other states that grant a similar credit.  
40 The tax credit does not apply to bulk cargo, as defined, is  
limited to the amount of the federal tax paid for use of Maine  
ports and may not exceed the amount of Maine income tax that  
would otherwise be due.