

MAINE STATE LEGISLATURE

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R.O.S.

L.D. 1873

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DATE: February 27, 2002

(Filing No. S-444)

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TAXATION

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Reported by:

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STATE OF MAINE
SENATE
120TH LEGISLATURE
SECOND REGULAR SESSION

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COMMITTEE AMENDMENT "A" to S.P. 669, L.D. 1873, Bill, "An Act to Amend the Tax Laws"

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Amend the bill in section 8 in that part designated "~~§182.~~" in the first line (page 7, line 28 in L.D.) by striking out the following: "~~Injunctions~~" and inserting in its place the following: 'Injunctions'

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Further amend the bill in section 11 by striking out all of subsection 9-A and inserting in its place the following:

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'9-A. **Primarily.** "Primarily," when used in relation to machinery or equipment used in production, means more than 50% of the time during the period that begins on the date on which the machinery or equipment is first placed in service by the purchaser and ends 2 years from that date or at the time that the machinery or equipment is sold, scrapped, destroyed or otherwise permanently removed from service by the taxpayer, whichever occurs first.'

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Further amend the bill in section 19 by striking out all of subsection 9 and inserting in its place the following:

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'9. **Underpayment of 4th installment.** If, on or before January 31st of the following taxable year, an individual, ~~not including a corporation,~~ trust or estate files a return and pays in full the ~~individual's~~ tax liability for the taxable year of the return, ~~then~~ no penalty may be imposed with respect to any underpayment of the 4th required installment for ~~the~~ that year.'

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COMMITTEE AMENDMENT

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Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

This bill may increase the number of civil suits filed in the court system. The additional workload and administrative costs associated with the minimal number of new cases filed can be absorbed within the budgeted resources of the Judicial Department. The collection of additional filing fees may also increase General Fund revenue by minor amounts.'

SUMMARY

This amendment corrects a misspelled word, changes proposed language to further clarify the meaning of the term "primarily" in the sales tax law and the application of a provision related to penalties for underpayment of 4th quarter installment payments of estimated income tax. The amendment also adds a fiscal note to the bill.