

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

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Legislative Document

No. 975

S.P. 316

In Senate, February 25, 2003

### **An Act To Improve the Business Equipment Tax Reimbursement Program**

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Reference to the Committee on Taxation suggested and ordered printed.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator STRIMLING of Cumberland.  
Cosponsored by Representative COWGER of Hallowell and  
Senator: TREAT of Kennebec, Representatives: DUDLEY of Portland, MAILHOT of  
Lewiston, McGOWAN of Pittsfield, MILLS of Cornville, PINGREE of North Haven,  
SIMPSON of Auburn, SUSLOVIC of Portland.

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

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**Sec. 1. 36 MRSA §6652, sub-§1**, as amended by PL 2001, c. 396, §45, is further amended to read:

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**1. Generally.** A person against whom taxes have been assessed pursuant to Part 2, except for chapters 111 and 112, with respect to eligible property and who has paid those taxes is entitled to reimbursement of those taxes from the State as provided in this chapter to the extent that those taxes have not been returned to the taxpayer by the municipality due to the taxpayer's participation in a municipal development district pursuant to Title 30-A, chapter 206, subchapter 1. The combined reimbursement under this chapter and Title 30-A, chapter 206, subchapter 1 may not exceed 100% of the assessed taxes for eligible property. For purposes of this chapter, a tax applied as a credit against a tax assessed pursuant to chapter 111 or 112 is a tax assessed pursuant to chapter 111 or 112. Eligible property is subject to reimbursement pursuant to this chapter for up to 12 property tax years, but the 12 years must be reduced by one year for each year during which a taxpayer included the same property in its investment credit base under section 5219-D, 5219-E or 5219-M and claimed the credit provided in one or more of those sections on its income tax return, and reimbursement may not be made for taxes assessed in a year in which one or more of those credits is taken.

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**SUMMARY**

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This bill prohibits reimbursement of property taxes under the Business Equipment Tax Reimbursement program if the taxes also are reimbursed under a tax increment financing district agreement.

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