

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "G" to COMMITTEE AMENDMENT "A" to H.P. 274, L.D. 353, Bill, "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2010 and June 30, 2011"

Amend the amendment in Part U by striking out all of section 1 and inserting the following:

Sec. U-1. 36 MRSA §6652, sub-§1, as repealed and replaced by PL 2007, c. 438, §114, is amended to read:

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 a portion of those taxes from the State as provided in this chapter. The reimbursement under this chapter is the percentage of the taxes assessed and paid with respect to eligible property specified in subsection 4, except that for claims filed for the application period that begins on August 1, 2006 the reimbursement is limited to 90% of the taxes assessed and paid with respect to eligible property and for application periods that begin on August 1, 2009 and August 1, 2010, the reimbursement is limited to 88% of the taxes paid with respect to 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. A taxpayer that included eligible property in its investment credit base under section 5219-E or 5219-M and claimed the credit provided in one or more of those sections on its income tax return may not be reimbursed under this chapter for taxes assessed on that same eligible property in a year in which one or more of those credits are taken. A successor in interest of a person against whom taxes have been assessed with respect to eligible property is entitled to reimbursement pursuant to this section, whether the tax was paid by the person assessed or by the successor, as long as a transfer of the property in question to the successor has occurred and the successor is the owner of the property as of August 1st of the year in which a claim for reimbursement may be filed pursuant to section 6654. For purposes of this subsection, "successor in interest" includes the initial successor and any subsequent successor. When an eligible successor in interest exists, the successor is the only person to whom reimbursement under this chapter may be made with respect to the transferred property. For an item of eligible property that is first subject to assessment under Part 2 on or after

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1 April 1, 2008, and for any item of eligible property for which reimbursement is paid
2 under subsection 4, paragraph B, the reimbursement otherwise payable under this section
3 with respect to that item of eligible property must be reduced by an amount equal to the
4 amount, if any, by which the reimbursement otherwise payable under this section plus
5 payments received by the taxpayer under a tax increment financing arrangement pursuant
6 to Title 30-A, chapter 206, subchapter 1 with respect to that item of eligible property
7 exceeds 100% of the property taxes assessed with respect to that item of eligible
8 property.'

9 Amend the amendment in Part LL in section 8 in the 3rd line (page 703, line 39 in
10 amendment) by striking out the following: "\$695,619" and inserting the following:
11 '\$651,129' and in the 5th line (page 703, line 41 in amendment) by striking out the
12 following: "\$999,068" and inserting the following: '\$954,504'

13 Amend the amendment in Part LL in section 9 in the 3rd line (page 704, line 5 in
14 amendment) by striking out the following: "\$65,929" and inserting the following:
15 '\$61,395' and in the 6th line (page 704, line 8 in amendment) by striking out the
16 following: "\$87,849" and inserting the following: '\$83,315'

17 Amend the amendment in Part LL in section 10 in the 3rd line (page 704, line 15 in
18 amendment) by striking out the following: "\$56,208" and inserting the following:
19 '\$55,376' and in the 6th line (page 704, line 18 in amendment) by striking out the
20 following: "\$81,045" and inserting the following: '\$80,213'

21 Amend the amendment in Part SSS by striking out all of section 4 (page 731, lines 35
22 to 42 in amendment) and inserting the following:

23 **'Sec. SSS-4. Merit increases and longevity payments.** Notwithstanding the
24 Maine Revised Statutes, Title 26, section 979-D or section 1285 or any other provision of
25 law, any merit increase or, for any employee newly eligible or eligible for an increase in
26 longevity payment between July 1, 2009 and June 30, 2011, any longevity payment,
27 regardless of funding source, scheduled to be awarded or paid between July 1, 2009 and
28 June 30, 2011 to any person employed by the departments and agencies within the
29 executive and judicial branches, including the constitutional officers and the Department
30 of Audit, may not be awarded, authorized or implemented. These savings may be
31 replaced by other Personal Services savings by agreement of the State and the bargaining
32 agents representing state employees.'

33 Amend the amendment in Part SSS by striking out all of section 8 and inserting the
34 following:

35 **'Sec. SSS-8. Appropriations and allocations.** The following appropriations
36 and allocations are made.

37 **ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**
38 **Executive Branch Departments and Independent Agencies - Statewide 0017**
39 Initiative: Deappropriates funds from savings related to 10 state shutdown days in fiscal
40 year 2009-10 and again in fiscal year 2010-11.

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1	GENERAL FUND	2009-10	2010-11
2	Personal Services	(\$6,410,000)	(\$6,410,000)
3			
4	GENERAL FUND TOTAL	<u>(\$6,410,000)</u>	<u>(\$6,410,000)</u>

5 **Executive Branch Departments and Independent Agencies - Statewide 0017**
 6 Initiative: Deappropriates funds from eliminating merit pay increases during the 2010-
 7 2011 biennium.

8	GENERAL FUND	2009-10	2010-11
9	Personal Services	(\$3,151,944)	(\$6,303,888)
10			
11	GENERAL FUND TOTAL	<u>(\$3,151,944)</u>	<u>(\$6,303,888)</u>

12 **Executive Branch Departments and Independent Agencies - Statewide 0017**
 13 Initiative: Deappropriates funds from eliminating increases in longevity payments during
 14 the 2010-2011 biennium.

15	GENERAL FUND	2009-10	2010-11
16	Personal Services	(\$60,104)	(\$147,215)
17			
18	GENERAL FUND TOTAL	<u>(\$60,104)</u>	<u>(\$147,215)</u>

19	ADMINISTRATIVE AND FINANCIAL		
20	SERVICES, DEPARTMENT OF		
21	DEPARTMENT TOTALS	2009-10	2010-11
22			
23	GENERAL FUND	(\$9,622,048)	(\$12,861,103)
24			
25	DEPARTMENT TOTAL - ALL FUNDS	<u>(\$9,622,048)</u>	<u>(\$12,861,103)</u>
26			

27 Amend the amendment by inserting after Part ZZZZ the following:

28 **'PART AAAAA**

29 **Sec. AAAAA-1. Appropriations and allocations.** The following
 30 appropriations and allocations are made.

31 **JUDICIAL DEPARTMENT**

32 **Courts - Supreme, Superior and District 0063**

33 Initiative: Offsets deappropriations in Part A resulting from changes to the suspension of
 34 longevity payments.

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1	GENERAL FUND	2009-10	2010-11
2	Personal Services	\$316,921	\$304,520
3			
4	GENERAL FUND TOTAL	<u>\$316,921</u>	<u>\$304,520</u>
5			

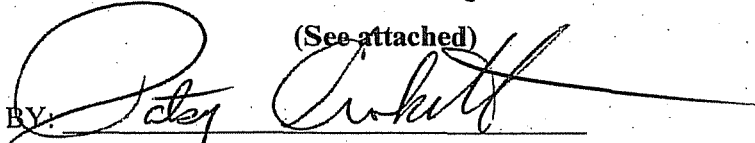
6 Amend the amendment by relettering or renumbering any nonconsecutive Part letter
7 or section number to read consecutively.

8 **SUMMARY**

9 This amendment changes the suspension of longevity payments to apply only to those
10 employees who are newly eligible for longevity payments or eligible for an increase in
11 longevity pay for the period from July 1, 2009 to June 30, 2011. The amendment also
12 offsets the cost of the change by reducing the reimbursement limit under the BETR
13 Program to 88% in 2009 and 2010.

14 **FISCAL NOTE REQUIRED**

15 (See attached)

16 SPONSORED BY: 

17 (Representative CROCKETT, P.)

18 TOWN: Augusta



124th MAINE LEGISLATURE

LD 353

LR 825(10)

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2010 and June 30, 2011

Fiscal Note for House Amendment "G" to Committee Amendment "A"

Sponsor: Rep. Crockett of Augusta

Fiscal Note Required: Yes

Fiscal Note

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
Net Cost (Savings)				
General Fund	\$618,670	\$745,068	\$0	\$0
Appropriations/Allocations				
General Fund	\$1,941,884	\$1,896,097	\$0	\$0
Revenue				
General Fund	\$1,373,070	\$1,200,959	\$0	\$0
Transfers				
General Fund	(\$49,856)	(\$49,930)	\$0	\$0
Fund Detail by Section				
Appropriations/Allocations				
General Fund				
PART SSS, Section 8	\$1,624,963	\$1,591,577	\$0	\$0
PART AAAAA, Section 1	\$316,921	\$304,520	\$0	\$0
Revenue				
General Fund				
PART U	\$1,373,070	\$1,200,959	\$0	\$0
Transfers				
General Fund				
PART LL, Section 8	(\$44,490)	(\$44,564)	\$0	\$0
PART LL, Section 9	(\$4,534)	(\$4,534)	\$0	\$0

Fiscal Detail and Notes

This amendment increases the net General Fund cost of the bill by \$618,670 in fiscal year 2009-10 and by \$745,068 fiscal year 2010-11. Based on projected General Fund balances, a balanced budget is maintain through the 2010-2011 biennium.