

mers	L.D. 234			
Re	Ilailia			
2	Date: 13112 (Filing No. H-687)			
3	TAXATION			
4	Reproduced and distributed under the direction of the Clerk of the House.			
5	STATE OF MAINE			
6	HOUSE OF REPRESENTATIVES			
7	125TH LEGISLATURE			
8	SECOND REGULAR SESSION			
9 10	COMMITTEE AMENDMENT " \mathcal{B} " to H.P. 187, L.D. 234, Bill, "An Act To Provide a Sales Tax Exemption to Commercial Horticulturists"			
11 12	Amend the bill by inserting after the title and before the enacting clause the following:			
13 14	'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and			
15 16 17	Whereas, products such as seed and fertilizer necessary for horticultural production are currently subject to the sales tax, resulting in double taxation as the goods produced are also taxed; and			
18 19	Whereas, these same products are not subject to the sales tax when used in agricultural production; and			
20	Whereas, the peak retail season for horticulturists is in the spring; and			
21 22 23 24	Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'			
25 26	Amend the bill by inserting after the enacting clause and before section 1 the following:			
27	'Sec. 1. 36 MRSA §199-C, sub-§3 is enacted to read:			
28 29 30 31	3. Specific tax expenditure review. No later than February 1, 2017, the committee shall review the sales tax exemption under section 1760, subsection 7-B to determine whether the sales tax exemption for those items used in the commercial agricultural production of greenhouse or nursery products should be continued, repealed or modified.'			
32 33	Amend the bill in section 1 in subsection 1-I in the 4th line (page 1, line 6 in L.D.) by striking out the following: "products," and inserting the following: 'products and'			

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COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "B" to H.P. 187, L.D. 234

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Amend the bill in section 1 in subsection 1-I in the last line (page 1, line 7 in L.D.) by striking out the following: "and the commercial production of livestock"

Amend the bill by adding before the summary the following:

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

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

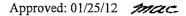
SUMMARY

This amendment adds an emergency preamble and emergency clause to the bill. It removes redundant language related to exempting from the sales tax products used in the commercial production of livestock. The amendment requires the joint standing committee of the Legislature having jurisdiction over taxation matters to conduct, no later than February 1, 2017, a review to determine whether the sales tax exemption for those products used in commercial agricultural production of greenhouse or nursery products should be continued, repealed or modified.

FISCAL NOTE REQUIRED (See attached)

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COMMITTEE AMENDMENT





125th MAINE LEGISLATURE

LR 633(04)

An Act To Provide a Sales Tax Exemption to Commercial Horticulturists

LD 234

Fiscal Note for Bill as Amended by Committee Amendment 'B'' Committee: Taxation Fiscal Note Required: Yes

	Fiscal Note			
	FY 2011-12	FY 2012-13	Projections FY 2013-14	Projections FY 2014-15
Net Cost (Savings) General Fund	\$0	\$9,500	\$9,785	\$10,079
Revenue General Fund	\$0	(\$9,500)	(\$9,785)	(\$10,079)
Other Special Revenue Funds	\$0	(\$500)	(\$515)	(\$530)

Fiscal Detail and Notes

Providing a sales tax exemption for certain products used in commercial agricultural production to include products used in commercial horticulture will reduce General Fund revenue by \$9,500 annually and will reduce revenue sharing by approximately \$500 annually.