

MAINE STATE LEGISLATURE

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Date: 6-13-13

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION**

HOUSE AMENDMENT ^J to COMMITTEE AMENDMENT "A" to H.P. 1079, L.D. 1509, 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, 2014 and June 30, 2015"

Amend the amendment by inserting after Part MMMMM the following:

'PART NNNNN

Sec. NNNNN-1. 36 MRSA c. 723 is enacted to read:

CHAPTER 723

ECONOMIC CRISIS ASSESSMENT

§4951. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Gross receipts. "Gross receipts" means the total amount a nonprofit organization receives from all sources during its taxable year, without subtracting any costs or expenses.

2. Located in the State. "Located in the State" has the same meaning as in section 5206-D, subsection 11, paragraph D.

3. Nonprofit organization. "Nonprofit organization" means an organization that:

- A. Is exempt from federal income tax under the Code, Section 501(a);
- B. Has gross receipts of at least \$200,000 at the end of the taxable year;
- C. Has total assets of at least \$500,000 at the end of the taxable year; and
- D. Has land, buildings and equipment in this State the total value of which is more than \$250,000.

HOUSE AMENDMENT

1 4. Value. "Value" means the cost or other basis of all land, buildings and equipment
2 held at the end of the taxable year reduced by the reported total amount of accumulated
3 depreciation as determined by the assessor in accordance with the Code.

4 Other terms used in this chapter have the same meaning as when used in a
5 comparable context in the laws of the United States relating to federal tax-exempt
6 organizations, unless different meanings are clearly required.

7 **§4952. Economic crisis assessment**

8 For tax years beginning in 2012 and 2013, an economic crisis assessment is imposed
9 on a nonprofit organization equal to 2% of the value in excess of \$250,000 of the
10 nonprofit organization's land, buildings and equipment located in this State.

11 **§4953. Assessment due date; filing of return and payment of assessment**

12 1. Return required. Every nonprofit organization must file an economic crisis
13 assessment return with the assessor on such forms as may be required by the assessor
14 whenever an economic crisis assessment is due.

15 2. Date due. The economic crisis assessment return required by this section must be
16 filed on or before the 15th day of the 5th month following the due date of the nonprofit
17 organization's federal tax-exempt organization return without regard to any extension.
18 Any assessment due under this chapter is due at the same time as the economic crisis
19 assessment return.

20 3. Persons required to file return. The economic crisis assessment return of a
21 nonprofit organization must be made and filed by an officer of the nonprofit organization.

22 **§4954. Administration**

23 Except as provided by this chapter, the economic crisis assessment imposed pursuant
24 to section 4952 must be administered and enforced as though it were imposed under Part
25 8.

26 **Sec. NNNNN-2. Appropriations and allocations.** The following
27 appropriations and allocations are made.

28 **ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

29 **Revenue Services, Bureau of 0002**

30 Initiative: Provides funding for computer programming design and development of the
31 new tax type for purposes of the Maine Revenue Integrated Tax System and associated
32 data capture processing systems.

33	GENERAL FUND	2013-14	2014-15
34	All Other	\$120,000	\$0
35			
36	GENERAL FUND TOTAL	\$120,000	\$0

1249

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Sec. NNNNN-3. Retroactivity. That section of this Part that enacts the Maine Revised Statutes, Title 36, chapter 723 applies retroactively to tax years beginning on or after January 1, 2012.'

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

SUMMARY

This amendment enacts an economic crisis assessment on nonprofit organizations in this State that have gross receipts in excess of \$200,000, total assets of at least \$500,000 and land, buildings and equipment in this State the total value of which is more than \$250,000. The assessment is equal to 2% of the value of the nonprofit organization's land, buildings and equipment in this State that exceeds \$250,000.

The amendment also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED

(See attached)

SPONSORED BY: 

(Representative LOCKMAN)

TOWN: Amherst



126th MAINE LEGISLATURE

LD 1509

LR 1046(18)

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, 2014 and June 30, 2015

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

Sponsor: Rep. Lockman of Amherst

Fiscal Note Required: Yes

Fiscal Note

	FY 2013-14	FY 2014-15	Projections FY 2015-16	Projections FY 2016-17
Net Cost (Savings)				
General Fund	(\$99,880,000)	(\$100,000,000)	\$0	\$
Appropriations/Allocations				
General Fund	\$120,000	\$0	\$0	\$0
Revenue				
General Fund	\$100,000,000	\$100,000,000	\$0	\$0
Fund Detail by Section				
Appropriations/Allocations				
General Fund				
PART NNNNN, Section 2	\$120,000	\$0	\$0	\$0
Revenue				
General Fund				
PART NNNNN, Section 2	\$100,000,000	\$100,000,000	\$0	\$0

Fiscal Detail and Notes

This amendment decreases the General Fund cost of the bill by \$99,880,000 in fiscal year 2013-14 and \$100,000,000 in fiscal year 2014-15. A balanced budget is maintained for the 2014-2015 biennium.