

MAINE STATE LEGISLATURE

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5/19/23
RDS

1

L.D. 3

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Date: 1/19/23

(Filing No. H- 2)

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Reproduced and distributed under the direction of the Clerk of the House.

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STATE OF MAINE

5

HOUSE OF REPRESENTATIVES

6

131ST LEGISLATURE

7

FIRST REGULAR SESSION

8

HOUSE AMENDMENT "A" to H.P. 5, L.D. 3, "An Act to Establish the Winter Energy Relief Payment Program to Aid Residents with High Heating Costs and to Finalize the COVID Pandemic Relief Payment Program"

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Amend the bill by striking out the title and substituting the following:

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'An Act to Provide Aid to Residents with High Heating Costs and to Finalize the COVID Pandemic Relief Payment Program by Temporarily Suspending the Sales Tax'

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Amend the bill in Part A by striking out all of section 3 and inserting the following:

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'Sec. A-3. Appropriations and allocations. The following appropriations and allocations are made.

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HOUSING AUTHORITY, MAINE STATE

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Housing Authority - State 0442

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Initiative: Provides one-time funding to supplement the federal Low Income Home Energy Assistance Program to help home energy assistance program recipients receive a financial benefit similar to last year given high fuel prices.

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OTHER SPECIAL REVENUE	2022-23	2023-24	2024-25
FUNDS			

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All Other	\$40,000,000	\$0	\$0
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OTHER SPECIAL REVENUE FUNDS	\$40,000,000	\$0	\$0
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TOTAL

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Housing Authority - State 0442

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Initiative: Provides one-time funding for heating assistance for households ineligible for home energy assistance program benefits or home energy assistance program households that have already exhausted their fuel assistance benefit and Energy Crisis Intervention Program amount. Funds will be distributed to community action agencies. Households may be eligible for up to \$800 in emergency funds to avert an energy crisis.

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OTHER SPECIAL REVENUE	2022-23	2023-24	2024-25
FUNDS			

36

HOUSE AMENDMENT

ROF 3

HOUSE AMENDMENT "A" to H.P. 5, L.D. 3

1	All Other	\$10,000,000	\$0	\$0
2				
3	OTHER SPECIAL REVENUE FUNDS	\$10,000,000	\$0	\$0
4	TOTAL			
5				
6	HOUSING AUTHORITY, MAINE			
7	STATE			
8	DEPARTMENT TOTALS	2022-23	2023-24	2024-25
9				
10	OTHER SPECIAL REVENUE	\$50,000,000	\$0	\$0
11	FUNDS			
12				
13	DEPARTMENT TOTAL - ALL	\$50,000,000	\$0	\$0
14	FUNDS			

- 16 Amend the bill in Part A by striking out all of section 4.
- 17 Amend the bill by striking out all of Part B.
- 18 Amend the bill in Part C by striking out all of section 4.
- 19 Amend the bill by inserting after Part F the following:

PART G

21 **Sec. G-1. Suspension of sales and use tax.** Notwithstanding the Maine Revised
 22 Statutes, Title 36, section 1811, subsection 1, paragraph D and section 1861, the sales and
 23 use tax imposed on the value of all tangible personal property and taxable services is
 24 suspended from February 1, 2023 until such time as the State Tax Assessor determines that
 25 the net loss of revenue to the General Fund from the suspension of the sales and use tax
 26 pursuant to this section has resulted in a loss of \$398,000,000. The suspension under this
 27 section does not apply to the imposition of sales and use tax pursuant to Title 36, section
 28 1811, subsection 1, paragraph D, subparagraphs (1) to (5).

29 **Sec. G-2. Resumption of sales and use tax.** The State Tax Assessor, at least 2
 30 weeks prior to the date the State Tax Assessor determines that the net loss of revenue to the
 31 General Fund from the suspension of the sales and use tax pursuant to section 1 has resulted
 32 in a loss of \$398,000,000, shall publicly announce the resumption of the sales and use tax
 33 suspended pursuant to section 1 and specify the date of the resumption.'

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

SUMMARY

- 36 This amendment makes the following changes to the bill:
- 37
- 38 1. It removes the transfer from the unappropriated surplus of the General Fund of
- 39 \$21,000,000 to the Maine State Housing Authority to provide funds for short-term
- 40 emergency housing and emergency shelters.

HOUSE AMENDMENT

ROFS

HOUSE AMENDMENT "A" to H.P. 5, L.D. 3

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2. It eliminates Part B of the bill, which establishes the Winter Energy Relief Payment Program and transfers funds on a one-time basis totaling \$398,000,000 from the unappropriated surplus of the General Fund to provide relief payments of \$450 to individuals who filed a Maine income tax return as of October 31, 2022 and who had income less than: \$200,000, if filing as an individual filing a married joint return or a surviving spouse permitted to file a joint return; \$150,000, if filing as a head of household; or \$100,000, if filing as a single individual or a married individual filing a separate return.

3. It removes the transfer authorized in the bill of any available balance in the Winter Energy Relief Payment Program to the COVID Pandemic Relief Payment Program Fund to complete the \$850 pandemic relief payment to each eligible resident of the State as authorized in Public Law 2021, chapter 635, Part L.

4. It suspends the 5.5% sales and use tax imposed on tangible personal property and taxable services from February 1, 2023 until such time as the State Tax Assessor determines that the net loss of revenue to the General Fund from the suspension of the sales and use tax has resulted in a loss of \$398,000,000, the same amount used for the Winter Energy Relief Payment Program in the bill. The suspension does not apply to other sales and use taxes such as those imposed on prepared food, liquor, cannabis and the short-term rental of living quarters and automobiles.

SPONSORED BY: Laurel Libby
(Representative LIBBY, L.)
TOWN: Auburn

FISCAL NOTE REQUIRED
(See attached)

HOUSE AMENDMENT



131st MAINE LEGISLATURE

LD 3

LR 601(03)

An Act to Establish the Winter Energy Relief Payment Program to Aid Residents with High Heating Costs and to Finalize the COVID Pandemic Relief Payment Program

Fiscal Note for House Amendment ^{1/A} to Original Bill (H-2)

Sponsor: Rep. Libby of Auburn

Fiscal Note Required: Yes

Fiscal Note

	FY 2022-23	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
Net Cost (Savings)					
General Fund	(\$21,000,000)	\$0	\$0	\$0	\$0
Fund for a Healthy Maine	\$0	\$0	\$0	\$0	\$0
Appropriations/Allocations					
General Fund	\$0	\$0	\$0	\$0	\$0
Federal Expenditures Fund	\$0	\$0	\$0	\$0	\$0
Fund for a Healthy Maine	\$0	\$0	\$0	\$0	\$0
Other Special Revenue Funds	(\$419,000,000)	(\$500)	\$0	\$0	\$0
Federal Block Grant Fund	\$0	\$0	\$0	\$0	\$0
Revenue					
General Fund	(\$398,000,000)	\$0	\$0	\$0	\$0
Other Special Revenue Funds	(\$20,947,368)	\$0	\$0	\$0	\$0
Transfers					
General Fund	\$419,000,000	\$0	\$0	\$0	\$0
Other Special Revenue Funds	(\$419,000,000)	\$0	\$0	\$0	\$0

Fiscal Detail and Notes

The amounts above reflect the incremental change from the original bill.

This amendment eliminates the provision in Part A of the bill that transfers \$21.0 million from the unappropriated surplus of the General Fund in fiscal year 2022-23 to the Emergency Housing Relief Fund Program within the Maine State Housing Authority to support housing and emergency shelters. The allocation of the \$21.0 million is also removed.

The amendment also eliminates the provision in Part B of the bill that transfers \$398,000,000 from the unappropriated surplus of the General Fund in fiscal year 2022-23 to the Winter Energy Relief Payment Program and replaces it with a suspension of the state sales tax until such time as the State Tax Assessor determines the net General Fund revenue loss would be \$398.0 million. The allocation of \$398,000,000 is also removed and the cost is now reflected as a reduction of revenue to the General Fund of \$398,000,000 and a reduction to the Local Government Fund of \$20,947,368 in fiscal year 2022-23.