

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
119TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
TAXATION

AUGUST 1999

*Staff:*

*Julie S. Jones, Legislative Analyst*

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**MEMBERS:**

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Sen. Beverly C. Daggett  
Sen. S. Peter Mills*

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Rep. Peter E. Cianchette*



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MEMORANDUM

To: Members, Joint Standing Committee on Taxation  
From: Julie S. Jones, Legislative Analyst  
Date: August, 1999  
Re: Bill Summaries, 119th Legislature, 1st Regular Session

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the Joint Standing Committee on Taxation during the 1st Regular Session of the 119th Legislature. The summary describes each bill or order and relevant amendments as well as the final action. Also included is a statistical summary of bill activity by the committee. Please note the effective date for all non-emergency legislation enacted in the 1st Regular Session (unless a later date is specified in a particular law) is September 18, 1999. Joint orders are effective when passed.

The document is organized for convenient reference to information on bills handled by the committee this session. It is organized by bill (LD) number and two indices are located at the back of the document that group bills by subject and by LD number. Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

*CARRIED OVER ..... Bill carried over to Second Regular Session*  
*CON RES XXX ..... Chapter # of Constitutional Resolution passed by both Houses*  
*CONF CMTE UNABLE TO AGREE ..... Committee of Conference unable to agree; bill died*  
*DIED BETWEEN BODIES ..... House & Senate disagree; bill died*  
*DIED IN CONCURRENCE ..... One body accepts ONTP report; the other indefinitely postpones the bill*  
*DIED ON ADJOURNMENT ..... Action incomplete when session ended; bill died*  
*EMERGENCY ..... Enacted law takes effect sooner than 90 days*  
*FAILED EMERGENCY ENACTMENT/FINAL PASSAGE ..... Emergency bill failed to get 2/3 vote*  
*FAILED ENACTMENT/FINAL PASSAGE ..... Bill failed to get majority vote*  
*FAILED MANDATE ENACTMENT ..... Bill imposing local mandate failed to get 2/3 vote*  
*NOT PROPERLY BEFORE THE BODY ..... Ruled out of order by the presiding officers; bill died*  
*INDEF PP ..... Bill Indefinitely Postponed*  
*ONTP ..... Ought Not To Pass report accepted*  
*OTP ND ..... Committee report Ought To Pass In New Draft*  
*OTP ND/NT ..... Committee report Ought To Pass In New Draft/New Title*  
*P&S XXX ..... Chapter # of enacted Private & Special Law*  
*PUBLIC XXX ..... Chapter # of enacted Public Law*  
*RESOLVE XXX ..... Chapter # of finally passed Resolve*  
*UNSIGNED ..... Bill held by Governor*  
*VETO SUSTAINED ..... Legislature failed to override Governor's Veto*  
*READ AND PASSED ..... Joint Order passed by the House and Senate*  
*PASSED AS AMENDED ..... Joint Order passed as amended by the House and Senate*

A complete summary of bills for all committees will be available in the very near future. Copies will be on file in the Law and Legislative Reference Library and Senate and House offices. You will also soon be able to access these bill summaries from our website.

I hope you find this information useful. If you have any questions or suggestions, please do not hesitate to contact this office.

Best wishes for an enjoyable summer.

## Joint Standing Committee on Taxation

**LD 4**

**An Act to Eliminate Sales Tax on Electricity Used in Agriculture and Aquaculture**

**INDEF PP**

Sponsor(s)  
MILLS

Committee Report  
OTP-AM

Amendments Adopted

LD 4 proposed to exempt electricity used directly and primarily in commercial agricultural and aquacultural production from the sales tax.

**Committee Amendment "A" (S-85)** proposed to relocate the exemption for electricity used in commercial agricultural and aquacultural production to a section of law that provides for a sales tax exemption or refund on other sales to those purchasers. The relocation also expanded the exemption to cover electricity sold for commercial fishing.

**LD 5**

**An Act to Permit Retailers to Retain a 1% Service Fee for Collection of Sales Tax Revenue**

**ONTP**

Sponsor(s)  
MILLS

Committee Report  
ONTP

Amendments Adopted

LD 5 proposed to permit retailers who submit reports and payments in a timely manner to retain 1% of sales tax collections as compensation for the costs of collecting the tax. For the first 10 days that a report or payment is late, the loss of the retention would be the sole penalty.

**LD 6**

**An Act Related to Application of the Sales Tax to Agricultural Animals**

**INDEF PP**

Sponsor(s)  
LIBBY

Committee Report  
OTP-AM MAJ  
ONTP MIN

Amendments Adopted

LD 6 proposed to exempt horses from the sales tax.

**Committee Amendment "A" (S-83)** proposed to expand the exemption proposed in the bill to include all equines, clarify the exempt status of agricultural animals and relocate the exemption to include it with related provisions.

**LD 18**

**An Act to Exempt from the State Sales Tax Adult Incontinence Undergarments**

**ONTP**

Sponsor(s)  
PERKINS

Committee Report  
ONTP

Amendments Adopted

LD 18 proposed to exempt from the sales tax the sale of adult incontinence undergarments.