

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

STATE OF MAINE
119TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
TAXATION

AUGUST 1999

Staff:

Julie S. Jones, Legislative Analyst

*Office of Fiscal and Program Review
5 State House Station
Augusta, ME 04333-0005
(207)287-1635*

MEMBERS:

*Sen. Richard P. Ruhlin, Chair
Sen. Beverly C. Daggett
Sen. S. Peter Mills*

*Rep. Kenneth T. Gagnon, Chair
Rep. Bonnie Green
Rep. Thomas M. Davidson
Rep. Patrick Colwell
Rep. Stephen S. Stanley
Rep. David G. Lemoine
Rep. Kenneth F. Lemont
Rep. Eleanor M. Murphy
Rep. John T. Buck
Rep. Peter E. Cianchette*



MAINE STATE LEGISLATURE
Office of Fiscal and Program Review
5 State House Station
Augusta Maine 04333-0005
TEL: (207) 287-1635
FAX: (207) 287-6469

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 OVERBill 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.

from the tax would be deposited to the Highway Fund and could be used only for repair and maintenance of municipally owned roads.

LD 1344 **An Act to Provide Long-term Funding for the Land for Maine's Future Program** **INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROWE PINGREE	OTP-AM	

LD 1344 proposed that until June 30, 2009, 45% of all receipts from the real estate transfer tax must be deposited in the Land for Maine's Future Fund rather than the General Fund. These funds must be used to acquire land and easements from willing sellers for public outdoor access and recreation, farmland preservation, land conservation and to protect wildlife habitat.

Committee Amendment "A" (H-390) proposed to redraft the provisions of the bill to avoid potential future statutory conflicts.

This bill was indefinitely postponed off the Appropriations Table.

LD 1365 **An Act to Amend the Procedures under the So-called Circuit Breaker Program** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERKINS	ONTP	

LD 1365 proposed to require a claimant under the Maine Residents Property Tax Program to submit proof of payment of the property taxes or rent upon which a claim for benefits is made before the claim may be allowed.

LD 1374 **An Act to Create a Sales Tax Exemption for Child Abuse and Neglect Councils, Child Advocacy Organizations and Community Action Agencies** **PUBLIC 499**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAGDON	OTP-AM MAJ ONTP MIN	S-336 LONGLEY

LD 1374 proposed to create a tax exemption for sales to child abuse and neglect councils.

Senate Amendment "A" (S-336) proposed to reallocate the sales tax exemption for child abuse and neglect councils to the subsection of law that currently provides an exemption to community action agencies. This amendment also adds a sales tax exemption for child advocacy organizations that are members of the Medicaid Advisory Committee.

Enacted law summary

Public Law 1999, chapter 499 provides a sales tax exemption for incorporated, nonprofit child abuse and neglect councils and statewide child advocacy organizations that are members of the Medicaid Advisory Committee.

LD 1380 **An Act Providing a Tax Credit for Private School Tuition** **ONTP**

<u>Sponsor(s)</u> MACK		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
---------------------------	--	---------------------------------	--	---------------------------

LD 1380 proposed an income tax credit equal to 50% of the cost of private elementary and secondary tuition. The credit would be limited to 50% of the statewide allowable tuition for a public school.

LD 1384 **An Act to Promote the Sale of Traditional Passamaquoddy Crafts** **DIED BETWEEN BODIES**

<u>Sponsor(s)</u> SOCTOMAH		<u>Committee Report</u> OTP-AM MAJ ONTP MIN		<u>Amendments Adopted</u>
-------------------------------	--	---	--	---------------------------

LD 1384 proposed to provide that sales of traditional craft products made by a member of the Passamaquoddy Tribe and materials purchased to create those craft items are exempt from sales and use tax.

LD 1388 **An Act to Amend the Sales and Use Tax Law Regarding the Food Service and Lodging Industries** **ONTP**

<u>Sponsor(s)</u> COWGER KILKELLY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
---	--	---------------------------------	--	---------------------------

LD 1388 proposed a sales tax exemption for sales of:

1. Tangible personal property used in cooking or preparing drinks, meals, food or food products by a person in the food service industry, and
2. Machinery and equipment used by a person in the food service or lodging industry.

LD 1410 **An Act Clarifying the Tax Treatment of Prepaid Calling Arrangements** **ONTP**

<u>Sponsor(s)</u> CAREY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
----------------------------	--	---------------------------------	--	---------------------------

LD 1410 proposed to require that prepaid telephone calling arrangements be subject to sales tax at the point of purchase rather than at the point of use, if the prepaid service is purchased at a vendor located in this State or when the purchaser's shipping or billing address is in this State.

See also LD 1130.