

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*First Regular Session and  
First Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Taxation*

*August 2005*

**Members:**

*Sen. Joseph C. Perry, Chair  
Sen. Ethan Strimling  
Sen. Jonathan T. E. Courtney*

*Rep. Richard G. Woodbury  
Rep. Herbert E. Clark  
Rep. Deborah J. Hutton  
Rep. Raymond G. Pineau  
Rep. Thomas R. Watson  
Rep. Harold A. Clough  
Rep. H. Stedman Seavey, Jr.  
Rep. Earle L. McCormick  
Rep. Leonard Earl Bierman  
Rep. Bruce Q. Hanley*

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

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

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

## Joint Standing Committee on Taxation

Part L proposed to change the rate structure for the real estate transfer tax to provide that a transferor and a transferee of the property must pay a transfer tax starting at \$1 per \$1,000 of value of the property for property valued at less than \$100,000, increasing to \$7 per \$1,000 of value for real estate with a value exceeding \$1,000,000. The revenue from the portion of the tax received to the State and attributable to transfers by deed tax is credited 65% to the General Fund and 35% to the Housing Opportunities for Maine Fund.

Part M proposed to require the State to pay 55% of the costs of essential programs and services under the education finance laws beginning in fiscal year 2006-07.

Part N proposed to require the transfer to the Maine Budget Stabilization Fund of General Fund revenue raised by this amendment that is estimated to exceed expenditures authorized by this amendment to be available to fund the State's commitment to education funding in future years.

Part O proposed to add an appropriations and allocations section.

This bill was recommitted to the Joint Standing Committee on Taxation and carried over by H.P. 1203 to the next special or regular session of the 122nd Legislature.

### **LD 1605**                      **An Act To Reform the Income Tax for Middle-income and Lower- income Families**                      **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRIMLING WOODBURY		

LD 1605 proposed to repeal exemptions, credits and refunds under the sales and use tax and the service provider tax, lower the rate of those taxes from 5% to 2% and change the income tax rates. It also proposed to increase the earned income tax credit and make that credit refundable and increase the personal exemption to match the federal exemption.

This bill was carried over by H.P. 1203 to the next special or regular session of the 122nd Legislature.

See also LDs 484, 705, 1437, 1587 and 1595.

### **LD 1606**                      **An Act To Sunset Income Tax Checkoffs**                      **ONTP**

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

LD 1606 proposed to repeal, beginning with income tax year 2006, all income tax donation checkoffs except for the checkoffs for the Companion Animal Sterilization Fund and the Maine Military Family Relief Fund, which, due to their relative newness, would be repealed beginning with income tax year 2007.