

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*Second Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Taxation*

*July 2006*

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# Maine State Legislature



## Office of Policy and Legal Analysis Office of Fiscal and Program Review

### 122nd Maine Legislature Second Regular Session

#### Summary of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 arranged alphabetically by committee name 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. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located 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/billsumm.htm](http://www.state.me.us/legis/opla/billsumm.htm)).

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:

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
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED (Pocket Veto).....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 23, 2006.

## Joint Standing Committee on Taxation

LD 2093

### An Act To Strengthen the Collection of the Tax on Tobacco Products

PUBLIC 627

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUMMINGS	OTP-AM MAJ ONTP MIN	H-1009 H-1022 BIERMAN H-1042 WOODBURY

LD 2093 proposed to strengthen the ability of the State to enforce the collection of the tax on tobacco products. The bill also proposed to permit the seizure and forfeiture of contraband tobacco products within the State and to strengthen and clarify the penalties for distributing or selling tobacco products in contravention of the law.

**Committee Amendment “A” (H-1009)** proposed to make a technical correction to clarify that tobacco products in transit by a common carrier or a contract carrier are not subject to seizure.

**House Amendment “B” (H-1022)** proposed to increase the number of cigars that could be imported or transported into this State without a license from 50 to 125 cigars for personal use.

**House Amendment “C” (H-1042)** proposed to change additional references to 50 cigars in 2 places in the bill to conform to the change made by House Amendment “B.”

#### *Enacted law summary*

Public Law 2005, chapter 627 strengthens the ability of the State to enforce the collection of the tax on tobacco products. The bill also permits the seizure and forfeiture of contraband tobacco products within the State. The bill also strengthens and clarifies the penalties for distributing or selling tobacco products in contravention of the law.

LD 2096

### Resolve, To Reduce State Valuation as a Result of the Closure of Georgia-Pacific Facilities

RESOLVE 202  
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHNEIDER BLANCHARD	OTP-AM	S-590

LD 2096 proposed to authorize the City of Old Town to request a reduction in its state valuation as a result of a reduction in value of the Georgia-Pacific Corporation facility, and to provide that the payments for general purpose aid for local schools to the city be adjusted to reflect such an adjustment in state valuation.

**Committee Amendment “A” (S-590)** proposed to revise the resolve to describe more accurately the process for adjustment to the City of Old Town's state valuation that is authorized by the resolve and to require that a request for adjustment be filed by October 1, 2006.

## *Joint Standing Committee on Taxation*

### *Enacted law summary*

Resolve 2005, chapter 202 authorizes the City of Old Town to request a reduction in its state valuation as a result of a reduction in value of the Georgia-Pacific Corporation facility notwithstanding statutory filing deadlines, and provides that the payments for general purpose aid for local schools to the city be adjusted to reflect such an adjustment in state valuation.

Resolve 2005, chapter 202 was finally passed as an emergency measure effective April 28, 2006.