

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

JOINT STANDING COMMITTEE ON TAXATION

July 2007

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STATE OF MAINE

123RD LEGISLATURE

FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter 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:

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 (or Accepted ONTP report).....	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.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Taxation

This bill provides an income tax credit for persons who purchase an alternative fuel vehicle or convert a motor vehicle to use an alternative fuel that makes reductions in carbon monoxide emissions and other pollutants as determined by the Department of Environmental Protection. It also provides a similar rebate to governmental entities and nonprofit entities that would qualify for a credit if they were subject to the income tax. See also LD 2.

LD 313 An Act To Extend the Property Tax Exemption for Veterans to Persons Living in Cooperative Housing

PUBLIC 418

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAIN TURNER	OTP-AM	H-522

This bill extends veterans' property tax exemptions to persons living in cooperative housing communities by granting an exemption to the cooperative housing corporation and requiring the benefit to be apportioned to qualifying veterans and their survivors according to the benefit that each individual would be entitled to if the individual were the owner of property.

Committee Amendment "A" (H-522)

This amendment adds a mandate preamble and an appropriations and allocations section to the bill.

Enacted Law Summary

Public Law 2007, chapter 418 extends veterans' property tax exemptions to persons living in cooperative housing communities by granting an exemption to the cooperative housing corporation and requiring the benefit to be apportioned to qualifying veterans and their survivors according to the benefit that each individual would be entitled to if the individual were the owner of property.

LD 325 An Act To Clarify the Tax-exempt Status of Ornamental Horticulture

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FINCH	OTP-AM	H-406

This bill makes changes to the sales and use tax law with respect to commercial agriculture.

Committee Amendment "A" (H-406)

This amendment adds an appropriations and allocations section.

This bill was placed on the Special Appropriations Table and died on adjournment.

LD 337 An Act To Exempt Certain Shipping Fees from the Sales Tax

ONTP

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

Joint Standing Committee on Taxation

This bill exempts from the sales tax the cost of transportation of goods, regardless of to whom they are shipped, as long as the transportation charges are separately stated and the shipping is done by common carrier, contract carrier or the United States mail.

LD 349 An Act To Provide a Tax Credit for the Purchase of Small Wind Power Generators for Personal or Small Business Use CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROWNE		H-548

This bill provides an income tax credit for a small wind power generator intended to provide electricity to a household or small business.

Committee Amendment "A" (H-548)

This amendment provides that the credit for a small wind power generator may be claimed in only one taxable year and that the credit may not be claimed if a credit is also claimed for the generator as a community wind power generator in any tax year. The amendment also provides for the repeal of the credit at the end of 2010.

This bill was removed from the Special Appropriations Table, recommitted and carried over to any special or regular session of the 123rd Legislature by joint order, H.P. 1369.

LD 355 Resolve, To Establish a Committee To Examine Issues Relating to the Administration and Distribution of Municipal Revenue Sharing ONTP

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

This resolve establishes a municipal revenue sharing committee composed of municipal officials to examine various issues relating to municipal revenue sharing and report to the Joint Standing Committee on Appropriations and Financial Affairs no later than December 15, 2007.

See also LDs 1357 and 1358.

LD 358 An Act To Create the Maine Fishery Infrastructure Tax Credit Program DIED ON ADJOURNMENT

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WATSON	OTP-AM	H-581

This bill provides an income tax credit for investment in eligible public fishery infrastructure projects in the State. Eligible projects must be certified by the Department of Inland Fisheries and Wildlife, which is required to adopt rules for determination of eligibility. Tax certificates may be issued for up to \$5,000,000 per project. Credits must be taken in increments of 25% over 4 years and may not exceed 50% of the total tax imposed on the investor for the applicable year. Unused credits may be carried forward for up to 15 years.

Committee Amendment "A" (H-581)

This amendment adds an application date to the bill.