

# 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**  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON TAXATION**

July 2007

**STAFF:**

JULIE S. JONES, SENIOR ANALYST  
ALEXANDRA AVORE, LEGISLATIVE ANALYST  
OFFICE OF FISCAL AND PROGRAM REVIEW  
5 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207)287-1635

**MEMBERS:**

SEN. JOSEPH C. PERRY, CHAIR  
SEN. ETHAN STRIMLING  
SEN. RICHARD A. NASS

REP. JOHN F. PIOTTI, CHAIR  
REP. HERBERT E. CLARK  
REP. ANNE M. RAND  
REP. THOMAS R. WATSON  
REP. DONALD E. PILON  
REP. RANDY E. HOTHAM  
REP. SCOTT E. LANSLEY  
REP. KATHLEEN D. CHASE  
REP. L. GARY KNIGHT  
REP. RICHARD G. WOODBURY

# STATE OF MAINE

123<sup>RD</sup> 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 123<sup>rd</sup> 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*

**LD 1732**

**RESOLUTION, Proposing an Amendment to the Constitution of Maine  
To Establish a Surtax on Property with a Value over \$400,000**

**ONTP**

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

This resolution proposes to amend the Constitution of Maine to authorize the Legislature to allow municipalities to impose a property tax surcharge on real residential property with a valuation of more than \$400,000. The surcharge would be imposed only on that portion of the value of the property that exceeds \$400,000. The owner of the property would be entitled to a credit in the amount of the surcharge against Maine income taxes due.

**LD 1739 An Act Concerning Technical Changes to the Tax Laws**

**PUBLIC 438**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIOTTI	OTP-AM	H-591

This bill is submitted on behalf of the Bureau of Revenue Services and makes the following technical changes to the laws governing taxation.

1. It repeals a provision that authorizes the State Tax Assessor to subtract from revenues credit card fees associated with income tax returns filed by telephone. Maine's income tax Telefile system has been discontinued.
2. It replaces the imprecise term "report" with the defined term "return" throughout the tax laws.
3. It authorizes a 120-day extension of the time allowed for filing a return after the taxpayer has received a formal demand for filing. The Department of Administrative and Financial Services, Bureau of Revenue Services has been administratively granting such extensions.
4. It provides clear statutory authority for the State Tax Assessor to disclose the fact that a person has or has not been issued a certificate of exemption under the sales tax law or the service provider tax law. The bureau has administratively interpreted existing law to authorize these disclosures.
5. It replaces an obsolete reference to the Bureau of Property Taxation, which was merged into the Bureau of Taxation, now the Bureau of Revenue Services, a number of years ago.
6. It clarifies that all owners of property proposed for tree growth classification must consent to the application in writing.
7. It repeals an obsolete provision that related to valuation of tree growth property for taxable years prior to April 1, 1983.
8. It repeals obsolete language relating to the computation of tree growth reimbursements and authorizes the State Tax Assessor to adopt rules governing the assessment of tree growth land and the computation of reimbursements.