

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during  
the First Regular Session of the 124<sup>th</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON TAXATION**

July 2009

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**STAFF:**

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

# STATE OF MAINE

124<sup>TH</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 124<sup>th</sup> Maine Legislature.

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:

CARRIED OVER.....	Carried over to a subsequent session of the Legislature
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; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
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

The effective date for non-emergency legislation enacted in the First Regular Session of the 124<sup>th</sup> Legislature is September 12, 2009. 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 1121     An Act To Protect Elderly Residents from Losing Their Homes Due to Taxes or Foreclosure** **Carried Over**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHASE NASS R		

This bill provides a Senior Property Tax Deferral Program for persons 65 years of age or older.

This bill requires 0.5% of the real estate transfer tax paid to the State to be deposited in a fund to be used to fund the Senior Property Tax Deferral Program.

The bill also provides that a lien for unpaid property taxes may not be foreclosed against the homestead of a person who is at least 65 years of age and has lived in the homestead for at least 10 years until the property is transferred by deed or upon death.

This bill was carried over to any special or regular session of the 124th Legislature by joint order, H.P. 1053.

**LD 1124     An Act To Provide Legislative Oversight of Changes to Policies and Practices of the Bureau of Revenue Services** **ONTP**

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

This bill requires the State Tax Assessor, prior to implementing any significant change in policy or practice by the Bureau of Revenue Services or in interpretation of any law, rule or bulletin, to notify the joint standing committee of the Legislature having jurisdiction over taxation matters and to implement the change through major substantive rulemaking, which is subject to review and approval by the Legislature.

See LD 1120.

**LD 1146     An Act To Authorize Municipalities To Impose Service Charges to Tax-exempt Property Owned by Certain Organizations Whose Primary Activities Are Not Charitable** **ONTP**

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

This bill expands the authority of municipalities to impose service charges on certain property tax exempt properties including charitable and benevolent institutions, literary and scientific organizations, chambers of commerce, boards of trade and property leased by exempt hospitals that do not spend at least 50% of their revenues directly on charitable activities.

## *Joint Standing Committee on Taxation*

See also LD 1290.

**LD 1148     An Act To Provide a Sales Tax Holiday Pilot Project**

**DIED BETWEEN  
HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRANG BURGESS ROSEN R	ONTP MAJ OTP-AM MIN	H-400

This bill provides an exemption from the sales tax for items sold on Columbus Day weekend in October with certain exceptions. The bill requires the State Tax Assessor to determine the amount of sales tax unpaid, as well as revenue raised from personal and corporate income taxes and other sources as a result of the sales tax holiday weekend. The Bureau of Revenue Services and the Maine Merchants Association are required to consult and present recommendations to the Joint Standing Committee on Taxation for 2 sales tax holiday weekends for the year 2010 and beyond.

**Committee Amendment "A" (H-400)**

This amendment provides a one-time sales tax holiday over Columbus Day weekend 2009 as a pilot project. The amendment requires the State Tax Assessor to report to the Joint Standing Committee on Taxation regarding the impact of the sales tax holiday on sales over the Columbus Day weekend and the period from September 1, 2009 to November 30, 2009 compared to projections and to past actual sales over the same time periods. The committee is authorized to submit legislation to the Second Regular Session of the 124th Legislature.

**LD 1149     An Act To Amend the Veterans Homestead Exemption To Include  
Certain Medal Winners**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CORNELL DU HOUX PERRY J	ONTP	

This bill adds to the list of veterans eligible to receive the property tax exemption those soldiers who were awarded the Global War on Terrorism Expeditionary Medal and, the Iraq Campaign Medal, or the Afghanistan Campaign Medal and removes the requirement that a veteran attain the age of 62 before being eligible to receive the property tax exemption.

**LD 1154     Resolve, To Require a Study of Economic Development Incentives in the  
Unorganized Territory**

**RESOLVE 71**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NASS R	OTP-AM	S-146

This resolve establishes the Commission To Review Tax Increment Financing in the Unorganized Territory. The commission will report its findings concerning tax increment financing in the unorganized territory to the Joint Standing Committee on Taxation, which is authorized to introduce a bill to the Second Regular Session of the 124th