

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



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

JOINT STANDING COMMITTEE ON TAXATION

July 2009

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STATE OF MAINE

124TH 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 124th 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 124th 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

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

Joint Standing Committee on Taxation

Legislature.

Committee Amendment "A" (S-146)

This amendment removes the emergency preamble and clause and changes the study from a legislative study to an agency study, expands the scope of the study to economic development incentives other than tax increment financing and requires a report to the Joint Standing Committee on Taxation by January 15, 2010.

Enacted Law Summary

Resolve 2009, chapter 71 requires the Department of Economic and Community Development and the State Tax Assessor to convene a study group to study the role of economic development incentives, including tax increment financing in the unorganized territory and report to the Joint Standing Committee on Taxation by January 15, 2009.

LD 1173 An Act To Exempt Sales of Heating Oil and Kerosene to Maine Businesses from Sales Tax ONTP

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

This bill expands the sales tax exemption for certain cooking and heating fuels to sales for use in nonresidential buildings.

LD 1213 An Act To Amend the Homestead Exemption for Certain Veterans To Include Certain Military Personnel Stationed at Guantanamo Bay ONTP

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

This bill adds to the list of veterans eligible to receive the property tax exemption those military personnel who were stationed at the military base at Guantanamo Bay, Cuba from January 4, 1961, the date Cuba and the United States formally broke off relations, and February 6, 1964, the date on which the military base became self-sufficient and ceased to rely on the Cuban government for water and supplies.

LD 1214 An Act To Amend the Laws Regarding the Taxation of Private and Public Pensions ONTP

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

This bill phases out over a 5-year period the reduction for social security and railroad benefits in calculating the income tax deduction for pension benefits.