

# 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  
124<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON TAXATION**

April 2010

**MEMBERS:**

SEN. JOSEPH C. PERRY, CHAIR  
SEN. LAWRENCE BLISS  
SEN. RICHARD A. NASS

REP. THOMAS R. WATSON, CHAIR  
REP. DONALD E. PILON  
REP. MARK E. BRYANT  
REP. LINDA M. VALENTINO  
REP. PATSY CROCKETT  
REP. LAWRENCE SIROIS  
REP. ELSPETH FLEMINGS  
REP. KATHLEEN D. CHASE  
REP. L. GARY KNIGHT  
REP. BRIAN D. LANGLEY

**STAFF:**

ELIZABETH F. COOPER, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207)287-1670

# STATE OF MAINE

124<sup>TH</sup> LEGISLATURE  
SECOND 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 Second 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:

<i>CARRIED OVER</i> .....	<i>Carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN HOUSES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i> .....	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session of the 124<sup>th</sup> Legislature is Monday, July 12, 2010. 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 1755**

**Resolve, To Review Sales of Dairy Products**

**RESOLVE 192**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-716 S-468 PERRY J

This resolve directs the Commissioner of Agriculture, Food and Rural Resources to convene a working group to examine the feasibility of increasing revenue to the State by extending the handling fee or initiating a sales tax on dairy products other than fluid milk. The commissioner is directed to report to the joint standing committee of the Legislature having jurisdiction over agricultural matters by January 15, 2011. The committee is authorized to submit a bill to the First Regular Session of the 125th Legislature.

**Committee Amendment "A" (H-716)**

This amendment provides that the Commissioner of Agriculture, Food and Rural Resources must conduct the study within existing resources, requires the results of the study also to be submitted to the joint standing committee of the Legislature having jurisdiction over taxation matters and authorizes that committee to submit a bill to the First Regular Session of the 125th Legislature.

**Senate Amendment "A" To Committee Amendment "A" (S-468)**

This amendment strikes the language from Committee Amendment "A" that added the joint standing committee of the Legislature having jurisdiction over taxation matters as one of the committees that may submit a bill to the First Regular Session of the 125th Legislature. The amendment also removes from the resolve the authorization of the joint standing committee of the Legislature having jurisdiction over agriculture matters to submit a bill to the First Regular Session of the 125th Legislature.

**Enacted Law Summary**

Resolve 2009, chapter 192 directs the Commissioner of Agriculture, Food and Rural Resources to, within existing resources, convene a working group to examine the feasibility of increasing revenue to the State by extending the handling fee or initiating a sales tax on dairy products other than fluid milk. The commissioner is directed to report to the joint standing committees of the Legislature having jurisdiction over agricultural matters and taxation matters by January 15, 2011.

**LD 1785**

**An Act To Bolster Maine's Social Safety Net through Voluntary Sales Tax Contributions**

**ONTP**

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

This bill directs the State Tax Assessor to create a process for voluntary payments of a sales tax surcharge for persons who make purchases that are subject to the sales and use tax. A person choosing to make voluntary payments may do so through electronic payments from that person's financial institution to the Voluntary Sales Tax Safety Net Fund, which is established in this bill, or by other means that may be established by the State Tax Assessor, who administers payments to the fund. Payments to the fund are not subject to transfers to the Local