

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

JOINT STANDING COMMITTEE ON TAXATION

June 2012

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STATE OF MAINE

125TH LEGISLATURE
SECOND REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

<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; legislation died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i>	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i>	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i>	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i>	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i>	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i>	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i>	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i>	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i>	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i> ...	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&S XXX</i>	<i>chapter # of enacted private & 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>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 125th Legislature is Thursday, August 30, 2012. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Taxation

when administering the federal low-income Home Energy Assistance Program, give preference to United States suppliers of wood pellets if all other factors are substantially equal.

Public Law 2011, chapter 670 was enacted as an emergency measure effective May 21, 2012.

LD 1641 **An Act To Ensure Equal Tax Treatment for Private-pay and
MaineCare-participating Providers of Residential Care to Persons Who
Are Elderly or Disabled** **ONTP**

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

This bill excludes from the service provider tax private nonmedical institutions that provide services reimbursed under MaineCare for persons who are elderly or disabled without specializing in a particular diagnosis.

LD 1653 **An Act To Make Fisheries and Wildlife and Marine Resources Projects
Eligible for Tax Increment Financing** **PUBLIC 675**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAYE	OTP-AM	S-453

This bill authorizes the use of tax increment financing for fisheries and wildlife projects approved by the Department of Inland Fisheries and Wildlife. Projects must be undertaken for the purpose of improving public access to fisheries and wildlife resources of the State for fishing, hunting, research or observation or for conservation or improvement of the fisheries and wildlife resources of the State.

Committee Amendment "A" (S-453)

This amendment replaces the bill and changes the title. It authorizes the use of tax increment financing for marine resources projects approved by the Department of Marine Resources in addition to projects approved by the Department of Inland Fisheries and Wildlife, as authorized in the bill. It adds marine resources projects to the types of tax increment projects that may be undertaken for the purpose of improving public access to fisheries and to the wildlife resources of the State for fishing, hunting, research or observation or for conservation or improvement of the fisheries and wildlife resources of the State. It requires the Department of Marine Resources to adopt rules for establishing the standards for the approval of marine resources projects eligible for tax increment financing. The amendment also adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2011, chapter 675 authorizes the use of tax increment financing for fisheries and wildlife or marine resources projects approved by the Department of Inland Fisheries and Wildlife or the Department of Marine Resources. Projects must be undertaken for the purpose of improving public access to freshwater or saltwater fisheries and wildlife resources of the State for fishing, hunting, research or observation or for conservation or improvement of the freshwater or saltwater fisheries and wildlife resources of the State.