

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
126TH LEGISLATURE
FIRST REGULAR SESSION



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

JOINT STANDING COMMITTEE ON TAXATION

July 2013

STAFF:

ELIZABETH F. COOPER, LEGISLATIVE ANALYST
GREGORY CONNORS, LEGISLATIVE ANALYST
OFFICE OF FISCAL AND PROGRAM REVIEW
5 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1635

MEMBERS:

SEN. ANNE M. HASKELL, CHAIR
SEN. REBECCA J. MILLETT
SEN. DOUGLAS A. THOMAS

REP. ADAM A. GOODE, CHAIR
REP. STEPHEN S. STANLEY
REP. NATHAN L. LIBBY
REP. MATTHEW W. MOONEN
REP. RYAN D. TIPPING-SPITZ
REP. L. GARY KNIGHT
REP. PAUL EDWARD BENNETT
REP. DONALD G. MAREAN
REP. ROGER A. JACKSON
REP. JOSEPH E. BROOKS

STATE OF MAINE

126TH LEGISLATURE

FIRST REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126th 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.

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; legislation died
DIED BETWEEN HOUSES.....House & Senate disagreed; legislation died
DIED IN CONCURRENCE.....defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX.....chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 126th Legislature is October 9, 2013. 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

LD 1126 An Act Regarding Corporate Income Tax Disclosure

ONTP

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

This bill requires a corporation that files a tax return with the State to file a tax disclosure statement with the Secretary of State. It requires the Secretary of State to adopt major substantive rules for the content of the tax disclosure statement, an alternative tax disclosure statement, procedures and fees to provide public access to the tax disclosure statements, oversight and penalties for failing to file or filing an inaccurate tax disclosure statement. It permits a corporation that files a tax disclosure statement to submit supplemental information that could facilitate proper interpretation of the information included in the tax disclosure statement. It requires a corporation that files an amended tax return or with a tax liability that is changed as the result of an uncontested audit adjustment or final determination by the Department of Administrative and Financial Services, Bureau of Revenue Services, the Maine Board of Tax Appeals or Superior Court to file a revised tax disclosure statement within 60 calendar days of filing the amended return or the final determination. It requires the Secretary of State to make the tax disclosure statement available to the public on an ongoing basis in the form of a searchable database accessible through the Internet. It requires the chief operating officer of a corporation to attest in writing to the accuracy of the tax disclosure statement. It requires the Bureau of Revenue Services to act as the agent of the Secretary of State to audit a corporation's tax disclosure. It requires the Secretary of State to publish the name of and penalty imposed upon a corporation subject to a penalty for failing to file or filing an inaccurate tax disclosure statement. It permits the disclosure by employees of the Bureau of Revenue Services to designated representatives of the Secretary of State of information required by the Secretary of State for the administration of the tax disclosure statement.

LD 1141 An Act To Increase the Sales Tax To Support Revenue Sharing

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THERIAULT JACKSON T	ONTP	

This bill imposes an additional 1% sales tax if the amount of revenue transferred for revenue sharing is less than 5% for the prior fiscal year. If in the subsequent year the amount of revenue transferred for revenue sharing is at least 5%, the sales tax rates revert to the statutory rates for the next fiscal year.

LD 1164 An Act To Allow Cooperative Housing Owners Who Are Blind To Qualify for the Property Tax Exemption

PUBLIC 416

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODALL MASON A	OTP-AM	S-80

Current law exempts from property tax the first \$4,000 of residential real estate owned and occupied by a person who is legally blind. This bill allows a person who is legally blind and who lives in cooperative housing to qualify for that same property tax exemption.

Committee Amendment "A" (S-80)

The amendment adds an appropriations and allocations section.

Joint Standing Committee on Taxation

Enacted Law Summary

Public Law 2013, chapter 416 allows a person who lives in cooperative housing to qualify for the existing exemption from property tax on the first \$4,000 of residential real estate owned and occupied by a person who is legally blind.

LD 1205 An Act To Lower the Rate of Excise Tax on Older Vehicles To ONTP
Acknowledge the Longer Life Span of Motor Vehicles

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

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to amend the annual excise tax that is imposed on the registration of motor vehicles. Currently, the mill rate begins at 24 mills of the maker's list price for the first model year of the motor vehicle and decreases, on a sliding scale, to 4 mills for the 6th and succeeding year of the motor vehicle. This bill would alter that scale to take into consideration, in a revenue-neutral manner, the high percentage of motor vehicles registered each year in this State that are more than 6 years old.

LD 1206 An Act To Ensure Equity in the Taxation of Food Items ONTP

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

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to change the way the sales and use tax is applied to grocery staples, which are tax-exempt under the law except when sold in small quantities for individual use.

LD 1207 An Act To Expand the Property Tax Exemption for Veterans Who Are ONTP
100% Disabled

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

Current law provides a tax exemption of up to \$6,000 of the value of property held by a veteran who is receiving any form of pension or compensation from the United States Government for total, service-connected disability. This bill provides a complete exemption from property taxes for the estate of a veteran who is receiving any form of pension or compensation from the United States Government for total, service-connected disability. The same provisions that apply to the current property tax exemptions for veterans apply to the exemption established in this bill, including requiring the veteran to be a resident of this State, allowing the exemption for property held in a revocable living trust or that is cooperative housing and requiring the State to reimburse a municipality for 90% of the portion of the lost property tax revenue that exceeds 3% of the total municipal property tax levy.