

# MAINE STATE LEGISLATURE

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



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

**JOINT STANDING COMMITTEE ON TAXATION**

August 2015

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# STATE OF MAINE

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## 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 127<sup>th</sup> 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. An appendix provides a summary of relevant session statistics.

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 &amp; 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&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>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the First Regular Session of the 127<sup>th</sup> Legislature is October 15, 2015. 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*

This amendment clarifies the timing of the bill's changes to the earned income tax credit, adds an enhanced credit for taxpayers with no qualifying child that is equal to 50 percent of the federal earned income tax credit and removes provisions of the bill making the credit refundable.

See also LD 96 and LD 648.

**LD 116      An Act To Expand the Use of Tax Increment Financing Revenue      ONTP**

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

This bill allows a municipality or plantation that forms a tax increment financing district to use the revenue generated by that district to pay for the costs of vital public services, as long as the costs of the services do not exceed 50 percent of the tax increment revenue and the costs are not paid for more than two fiscal years during the life of the tax increment financing district and its development program. Vital public services are fire and rescue, law enforcement and waste disposal services and local road improvements.

**LD 118      An Act To Authorize Municipalities To Refund Amounts Collected in      PUBLIC 53  
Excess of Tax Liens      EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCORMICK	OTP-AM	S-55

This bill authorizes a municipality that forecloses on residential real estate to return the excess funds, after subtracting the tax lien, interest, fees for recording the lien, costs of mailing notice, court costs, taxes that would have been assessed while the property was held by the municipality and any other expenses incurred in disposing of the real estate.

### **Committee Amendment "A" (S-55)**

This amendment provides that disbursement of the excess of any funds acquired for nonpayment of property taxes must be authorized by municipal ordinance or, with regard to the unorganized territory, by rulemaking by the State Tax Assessor. The amendment clarifies the taxes, interest, fees and other costs connected with the disposal of property acquired through the tax lien and foreclosure process that may be retained by the municipality. The amendment also provides that an authorizing ordinance may apply to sales of property acquired through the tax lien and foreclosure process on or after January 1, 2015.

### **Enacted Law Summary**

Public Law 2015, chapter 53 authorizes a municipality that forecloses on residential real estate to return the excess funds, after subtracting the taxes, interest and fees and any other expenses incurred in disposing of the real estate. The disbursement of the excess of any funds acquired for nonpayment of property taxes must be authorized by municipal ordinance or, with regard to the unorganized territory, by rulemaking by the State Tax Assessor. An authorizing ordinance may apply to sales of property acquired through the tax lien and foreclosure process on or after January 1, 2015.

Public Law 2015, chapter 53 was enacted as an emergency measure effective May 8, 2015.