

# 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  
129<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON TAXATION**

August 2019

**MEMBERS:**

SEN. BEN CHIPMAN, CHAIR  
SEN. HEATHER SANBORN  
SEN. MATTHEW POULIOT

REP. RYAN TIPPING, CHAIR  
REP. STEPHEN S. STANLEY  
REP. MAUREEN FITZGERALD TERRY  
REP. KRISTEN SARA CLOUTIER  
REP. DIANE M. DENK  
REP. ANN HIGGINS MATLACK  
REP. DONALD G. MAREAN  
REP. BRUCK A. BICKFORD  
REP. HAROLD TREY STEWART\*  
REP. THEODORE JOSEPH KRYZAK, JR.  
REP. PHILIP CURTIS\*

**STAFF:**

JULIE JONES, SENIOR LEGISLATIVE ANALYST  
OFFICE OF FISCAL AND PROGRAM REVIEW  
5 STATE HOUSE STATION  
AUGUSTA, ME 04333-0005  
(207) 287-1635  
<http://legislature.maine.gov/ofpr>

\*Committee member for a portion of the session

# STATE OF MAINE

129<sup>TH</sup> 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 129<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.

*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 129<sup>th</sup> Legislature is Thursday, September 19, 2019. 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*

### **Committee Amendment "A" (H-259)**

This amendment, which is the minority report of the committee and which was adopted in the Senate, adds an appropriations and allocations section to fund costs of activities necessary to administer the tax change provided in the bill.

This amendment was not adopted.

### **Senate Amendment "A" To Committee Amendment "A" (S-256)**

This amendment, which was adopted in the Senate, imposes a surcharge in the amount of 2.15% on income above \$1,450,000. The revenue from the surcharge must be used to offset the loss of revenue attributable to the exclusion of overtime pay from income tax provided for in the bill.

This amendment was not adopted.

<b>LD 977</b>	<b>An Act To Restore the Super Credit for Substantially Increased Research and Development</b>	<b>CARRIED OVER</b>
---------------	--	---------------------

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HEPLER A BELLOWS S	OTP-AM	H-621

Under a tax credit that expired January 1, 2014, a taxpayer that qualified for a research expense tax credit was allowed a so-called super credit for qualified research expenses for research conducted in this State. A taxpayer who had unused credits may carry over any unused credit for the next succeeding 10 years, except that the credit is limited to no more than 25% of the taxpayer's tax due after the allowance of other tax credits.

This bill restores the availability of the super credit, retroactive to January 1, 2014, and resets the base amount to the average annual amount spent by the taxpayer on qualified research expenses during the three years before the credit is taken or during the three years before the effective date of this legislation, whichever is greater.

### **Committee Amendment "A" (H-621)**

This amendment restores the super credit for substantially increased research and development for tax years beginning on or after January 1, 2019. The amendment also provides reporting and evaluation requirements to permit evaluation of the credit in meeting its intended purposes.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

<b>LD 989</b>	<b>An Act To Improve Maine's Tax Laws</b>	<b>CARRIED OVER</b>
---------------	---	---------------------

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIPMAN B		

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact changes to improve the application and efficacy of the tax laws.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.