

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST REGULAR SESSION



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

JOINT STANDING COMMITTEE ON TAXATION

August 2019

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STATE OF MAINE

129TH LEGISLATURE
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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 129th 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 129th 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

This amendment was not adopted.

LD 1076 An Act To Account for Market Change in the Adult Use Marijuana Excise Tax

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY S		

This bill changes the excise tax on adult use marijuana cultivation facilities from a tax based on quantity to a tax based on a percentage of the average market price for the category of marijuana sold. The bill requires the average market price to be determined quarterly by the Department of Administrative and Financial Services. The tax would not apply to sales by a cultivation facility to a licensee with which it is vertically integrated.

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

LD 1110 An Act To Establish a Local Option for Sales Tax

ONTP

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

This bill allows a municipality to impose a local option sales tax if approved by referendum of the voters in that municipality. The referendum question must identify the rate of the local option sales tax, the categories of taxable items the local option sales tax will apply to and the purposes for which the revenue will be used. The local option sales tax would be collected and administered by the State in the same manner as the sales and use tax. Revenue from the local option sales tax is distributed to the municipality imposing the local option sales tax. Revenue received by a municipality may not be used to reduce or eliminate funding otherwise due the municipality under other provisions of law.

See also LDs 65, 156, 609 and 1254.

LD 1122 An Act To Expand Tax Increment Financing

PUBLIC 148

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT M TIPPING R	OTP-AM	S-75

This bill expands the types of projects eligible for tax increment financing for municipalities and plantations by including public safety facilities instead of just fire stations, as in the current law.

Committee Amendment "A" (S-75)

This amendment, like the bill, expands the types of projects eligible for tax increment financing by including public safety facilities instead of only fire stations as allowed under current law. The amendment defines "public safety facility" and caps the percentage of tax increment financing funds per development district that may be used for public safety facilities located outside the district.

Joint Standing Committee on Taxation

Enacted Law Summary

Public Law 2019, chapter 148 expands the types of projects eligible for tax increment financing by including public safety facilities instead of only fire stations as allowed under current law. The law defines "public safety facility" and caps the percentage of tax increment financing funds per development district that may be used for public safety facilities located outside the district.

LD 1123 An Act Regarding Telecommunications Infrastructure Costs

ONTP

Sponsor(s)

BLACK R
LANDRY S

Committee Report

ONTP

Amendments Adopted

This bill amends the laws governing development districts designated by a municipality or plantation to provide that costs associated with broadband and fiber optics expansion projects, including preparation, planning, engineering and other related costs in addition to the construction costs of such projects, whether or not such expansion projects serve residential or business areas within the municipality or plantation are authorized project costs.

See also LD 854.

LD 1131 Resolve, Directing the Maine State Housing Authority To Study and Report on the Need for Modifications To Make Homes Accessible for Senior Citizens and Persons with Disabilities

RESOLVE 50

Sponsor(s)

MORALES V
DESCHAMBAULT S

Committee Report

OTP-AM

Amendments Adopted

H-327

This bill changes the maximum income eligibility level for the income tax credit for home modifications to improve accessibility and the Maine State Housing Authority pilot project to assist older adults and persons with disabilities with certain home modifications. The new income eligibility level for each program is changed to the area median income as determined by the United States Department of Housing and Urban Development for the county or municipality in which the home is located.

Committee Amendment "A" (H-327)

This amendment changes the bill to a resolve and directs the Maine State Housing Authority to work with interested parties to study and make recommendations to the Second Regular Session of the 129th Legislature regarding the need, with reference to geographical areas of the State, for home modifications to provide accessibility for low-income older or disabled residents of the State in order to permit those persons to remain in their homes and avoid institutionalization.

See also LD 6.

Enacted Law Summary

Resolve 2019, chapter 50, directs the Maine State Housing Authority to work with interested parties to study and make recommendations to the Second Regular Session of the 129th Legislature regarding the need, with reference to geographical areas of the State, for home modifications to provide accessibility for low-income older or disabled residents of the State in order to permit those persons to remain in their homes and avoid institutionalization.