

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
131ST LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

JOINT STANDING COMMITTEE ON TAXATION

October 2023

STAFF:

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

MEMBERS:

SEN. NICOLE GROHOSKI, CHAIR
SEN. BENJAMIN M. CHIPMAN
SEN. JAMES LIBBY

REP. JOSEPH C. PERRY, SR., CHAIR
REP. W. EDWARD CROCKETT
REP. ANN HIGGINS MATLACK
REP. TAVIS ROCK HASENFUS
REP. AMBUREEN RANA
REP. MELDON H. CARMICHAEL
REP. THOMAS A. LAVIGNE
REP. TRACY L. QUINT
REP. LAUREL D. LIBBY
REP. SHELLEY RUDNICKI

STATE OF MAINE
131ST LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS



**LEGISLATIVE DIGEST OF BILLS AND
SUMMARIES OF ENACTED LAWS**

This *Legislative Digest of Bills and Summaries of Enacted Laws* provides the disposition of all LDs and summaries of all laws enacted or finally passed during the First Regular and First Special Sessions of the 131st Maine Legislature. Please note that all LDs and proposed amendments may be found through the Legislature’s webpage, and each includes a summary of what the bill or amendment proposed.

The *Legislative Digest of Bills and Summaries of Enacted Laws* is arranged alphabetically by committee. Within each committee section is a subject index of all LDs considered by that committee as well as a digest of the LDs, arranged by LD number. Also included are enacted law summaries of the LDs enacted or finally passed. Brief analyst notes on certain LDs are also included: a committee digest will indicate if additional notes are provided for an LD. These notes add information staff found useful and may provide useful information to users of this *Digest*; please note that most LDs do not have a note and lack of a note should not be interpreted as having any significance. A separate section of the *Digest* provides a digest of the relatively few LDs that were not referred to a committee or reported from a committee as a committee bill; enacted law summaries of the LDs enacted or finally passed are provided. Finally, an appendix provides a summary of relevant session statistics.

The final disposition of each LD is noted in the relevant summary digest and index. 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 and First Special Sessions of the 131st Legislature is Thursday, June 29, 2023 and Wednesday, October 25, 2023, respectively. 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 144 An Act Regarding the Monitoring of Municipal Abandoned Property

ENACTED LAW SUMMARY

Public Law 2023, chapter 26 requires a municipality that certifies abandoned property to submit the address and parcel data for the property to the Maine Redevelopment Land Bank Authority for use in determining opportunities for redevelopment of the property instead of to the Maine State Housing Authority to support first time home buyers and similar programs.

LD 283 An Act to Make Technical Changes to the Maine Tax Laws

ENACTED LAW SUMMARY

Public Law 2023, chapter 360 makes a number of technical changes to Maine tax laws.

Part A of Public Law 2023, chapter 360 makes the following changes to the property tax law.

1. It allows disclosure of certain confidential information to the State Board of Property Tax Review.
2. It clarifies that a municipality's equalized tax rate of residential property is the equalized full value tax rate when calculating qualification for sudden and severe disruption assistance.
3. It removes the requirement that updates to the property tax assessment manual be made by the State Tax Assessor by rule;
4. It clarifies that the fixed-dollar parsonage and personal property exemptions for houses of religious worship are based on just value.
5. It clarifies that only individuals qualify for certain property tax exemptions for veterans and removes gender-specific terms in those provisions.
6. It facilitates the repeal of the Circuitbreaker Program, which has expired, by moving definitions from that program to current provisions.
7. It clarifies that the income and asset limitations of the state property tax deferral program apply to all owners of the property.
8. It makes other technical and grammatical changes to improve the clarity of property tax provisions.

Part B of Public Law 2023, chapter 360 makes the following changes to the income tax law.

JOINT STANDING COMMITTEE ON TAXATION

1. It clarifies that a petition for reconsideration related to a determination issued by Maine Revenue Services must be filed within the specified time period with Maine Revenue Services in order to be available for review in Superior Court or by the Maine Board of Tax Appeals.
2. It repeals the Maine income modifications related to the expired federal domestic production activities deduction.
3. It repeals the Maine income modification for the expired federal unemployment compensation deduction.
4. It repeals the Maine income modification for the expired federal deferral of income from discharge of indebtedness.
5. It repeals the expired Maine income modification for insurance premiums for long-term care insurance;
6. It repeals the expired Maine income modification for federal recovery amounts included in federal adjusted gross income.
7. It clarifies Maine Revenue Services' rule-making authority regarding the Maine research expense income tax credit by correcting an erroneous reference to the federal Internal Revenue Code of 1986, removing unnecessary and confusing language and making the rule-making requirement discretionary.
8. It clarifies that the benefit base under the property tax fairness credit includes property tax payments, and not payments of rent constituting property taxes, under the State's property tax deferral program.
9. It Provides that the additional credit for permanently and totally disabled veterans under the property tax fairness credit is limited to the total taxes paid by the taxpayer and by the State on behalf of the taxpayer pursuant to the property tax deferral program, if any.
10. It clarifies that the due dates applicable to income tax estimated tax installment payments required to be made by individuals, trusts, estates, corporations and financial institutions are based on a taxpayer's taxable year.

Part C of Public Law 2023, chapter 360 makes the following changes to provisions regarding the sales tax.

1. It removes the word “pickup” from the phrase “pickup trucks” in the Multimodal Transportation Fund transfer to align with the removal of the word in the corresponding sales tax provisions by Public Law 2021, chapter 578.
2. It clarifies the confidentiality exemption for disclosing registration, revocation of registration or exemption certificate information by providing that the allowable disclosure is limited to the disclosure of information applicable to the previous six years.

JOINT STANDING COMMITTEE ON TAXATION

3. It updates gender-specific language with regard to persons who fish commercially.

LD 286 An Act to Authorize the Use of Tax Increment Financing Funds for Constructing or Renovating Local Central Administrative Offices

ENACTED LAW SUMMARY

Public Law 2023, chapter 142 provides that tax increment financing funds may be spent for 50% of the capital costs for construction or renovation of a central administrative office of a municipality or plantation, the need for which is related to general economic development within the municipality or plantation, and provides that tax increment financing funds used for the project may not exceed 15% of the captured assessed value of the development district.

LD 849 An Act to Implement the Recommendations of the Working Group to Review the Process for Ongoing Review of Tax Expenditures by the Legislature

ENACTED LAW SUMMARY

Public Law 2023, chapter 417 implements the following recommendations of the Working Group To Review the Process for Ongoing Review of Tax Expenditures by the Legislature established in 2021 by joint order, S.P. 578.

1. Beginning with the 132nd Legislature, it changes the membership of the Government Oversight Committee by requiring that the membership of that committee must include at least one member who is member of the joint standing committee of the Legislature having jurisdiction over taxation matters and at least one member who is a member of the joint standing committee of the Legislature having jurisdiction over economic development matters and provides that no two members may be members of the same joint standing committee or members of the same political party.
2. It authorizes the joint standing committee of the Legislature having jurisdiction over taxation matters to meet throughout the year as determined to be necessary by the chairs to perform tax expenditure review functions.
3. It repeals expedited review of tax expenditures.
4. It prioritizes full review of business incentive tax expenditures over tax expenditures directed primarily toward individual tax relief.
5. It requires that the schedule for review of full review tax expenditures take into consideration any statutory expiration dates.