

MAINE STATE LEGISLATURE

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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

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STATE OF MAINE
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**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.

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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.

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6. It establishes a procedure for review by the joint standing committee of the Legislature having jurisdiction over taxation matters of legislation under consideration by another joint standing committee that would enact a full review tax expenditure. The review is for the purposes of identifying and recommending provisions to facilitate tax expenditure review.
7. It establishes a process for the joint standing committee of the Legislature having jurisdiction over taxation matters to request 2 limited analysis projects per year to be completed by the Office of Program Evaluation and Government Accountability for the purpose of assisting consideration of legislation before the committee.
8. It directs the Office of Program Evaluation and Government Accountability and the Office of Fiscal and Program Review to assess and report to the Legislative Council regarding the need for additional staff to perform the additional functions contained in the law.

LD 1063 An Act to Provide Equitable Tax Treatment to State-licensed Cannabis Businesses

ENACTED LAW SUMMARY

Public Law 2023, chapter 444 provides an income tax deduction for expenses related to carrying on a business as a cannabis establishment or a testing facility and compensates for the loss of tax revenue by requiring a transfer to the General Fund from the Adult Use Cannabis Public Health and Safety and Municipal Opt-in Fund.

LD 1182 An Act to Make Revisions to the Tax Increment Financing and Development District Laws

ENACTED LAW SUMMARY

Public Law 2023, chapter 377 amends the laws governing tax increment financing by removing the requirement that the Department of Agriculture, Conservation and Forestry and the Department of Transportation review proposals for the designation of downtown tax increment financing districts. The law also clarifies the approval condition related to a property being suitable for commercial or arts district uses.

LD 1308 An Act to Establish Municipal Cost Components for Unorganized Territory Services to Be Rendered in Fiscal Year 2023-24

ENACTED LAW SUMMARY

Public Law 2023, chapter 150 establishes municipal cost components for state and county services provided to the unorganized territory that would normally be paid for by a municipality. The municipal cost components establish the property tax for the unorganized territory.