

Sec. A-1. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Bureau of Revenue Services Fund 0885

Initiative: Reduces funding that will not be expended during the 2010-2011 biennium.

Ref. #: 50 Committee Vote: _____ AFA Vote: _____

BUREAU OF REVENUE SERVICES FUND	2008-09	2009-10	2010-11
All Other	\$0	(\$150,880)	(\$151,720)
BUREAU OF REVENUE SERVICES FUND TOTAL	\$0	(\$150,880)	(\$151,720)

Justification:

This program performs scanning services for a variety of State Agencies. Revenues generated in this fund are used to cover the cost of this program and necessary equipment. Savings can be achieved through a delay in program related expenditures.

Homestead Property Tax Exemption Reimbursement 0886

Initiative: Reduces funding by adjusting the estimated reimbursement under the homestead property tax exemption payment to 75% and the final reimbursement payment to 25% and delays the due date for the final payment to the following fiscal year.

Ref. #: 52 Committee Vote: _____ AFA Vote: _____

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$0	\$0	(\$5,385,865)
GENERAL FUND TOTAL	\$0	\$0	(\$5,385,865)

Justification:

Proposed language in Part MM of this bill would adjust the estimated reimbursement under the Homestead Program payment to 75% and the final reimbursement payment to 25% and delays the due date for the final payment to the following fiscal year.

Revenue Services - Bureau of 0002

Initiative: Reduces funding for technology costs through a reprogramming of the data warehouse for Maine Revenue Services.

Ref. #: 3 Committee Vote: _____ AFA Vote: _____

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$0	(\$60,000)	\$0
GENERAL FUND TOTAL	\$0	(\$60,000)	\$0

Justification:

Funding in All Other is required for envelopes, printing and postage costs associated with the Taxes Receivable Reduction Initiative as per the legislation proposed in Part HH of this bill.

Tree Growth Tax Reimbursement 0261

Initiative: Reduces funding by 10% in the Tree Growth Tax Reimbursement program.

Ref. #: 36

Committee Vote: _____

AFA Vote: _____

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$0	\$0	(\$531,250)
GENERAL FUND TOTAL	\$0	\$0	(\$531,250)

Justification:

This initiative decreases by 10% the amount appropriated for fiscal year 2010-11 for municipal reimbursement of lost revenue for property enrolled in the Maine Tree Growth Tax Law program.

Veterans Tax Reimbursement 0407

Initiative: Reduces funding on a one-time basis in the Veterans Tax Reimbursement program. All reimbursement claims for fiscal year 2009-10 have been processed.

Ref. #: 38

Committee Vote: _____

AFA Vote: _____

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$0	(\$19,254)	\$0
GENERAL FUND TOTAL	\$0	(\$19,254)	\$0

Justification:

Maine Revenue Services does not anticipate any additional claims to be paid for the Veterans Tax Reimbursement Program during fiscal year 2009-10. This initiative deappropriates one time savings.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	\$0	(\$154,254)	(\$6,081,115)
BUREAU OF REVENUE SERVICES FUND	\$0	(\$150,880)	(\$151,720)
DEPARTMENT TOTAL - ALL FUNDS	\$0	(\$305,134)	(\$6,232,835)

Sec. A-46. Appropriations and allocations. The following appropriations and allocations are made.

PROPERTY TAX REVIEW, STATE BOARD OF

Property Tax Review - State Board of 0357

Initiative: Reduces funding due to a one-time reduction in the cost for legal services from the Department of the Attorney General.

Ref. #: 1181

Committee Vote: _____ AFA Vote: _____

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$0	(\$3,256)	(\$3,294)
GENERAL FUND TOTAL	\$0	(\$3,256)	(\$3,294)

Justification:

As a result of statewide Personal Services reductions the Department of the Attorney General reduced it's cost for legal services.

PROPERTY TAX REVIEW, STATE BOARD OF

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	\$0	(\$3,256)	(\$3,294)
DEPARTMENT TOTAL - ALL FUNDS	\$0	(\$3,256)	(\$3,294)

Sec. A-53. Appropriations and allocations.

The following appropriations and allocations are made.

TREASURER OF STATE, OFFICE OF

Disproportionate Tax Burden Fund 0472

Initiative: Adjusts funding to bring allocations into line with projected available resources based on revenue changes approved by the Revenue Forecasting Committee in December 2009.

Ref. #: 1251

Committee Vote: _____

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

	2008-09	2009-10	2010-11
All Other	\$0	(\$1,680,629)	(\$1,618,389)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$1,680,629)	(\$1,618,389)

Justification:

A downward revenue reprojection of the major tax lines by the Revenue Forecasting Committee in December 2009 resulted in less revenue available for State - Municipal Revenue Sharing to the Local Government Fund and to the Disproportionate Tax Burden Fund in the Department of Treasury. This initiative adjusts the allocation to the respective fund accounts accordingly.

State - Municipal Revenue Sharing 0020

Initiative: Adjusts funding to bring allocations into line with projected available resources based on revenue changes approved by the Revenue Forecasting Committee in December 2009.

Ref. #: 1243

Committee Vote: _____

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

	2008-09	2009-10	2010-11
All Other	\$0	(\$9,523,560)	(\$8,496,547)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$9,523,560)	(\$8,496,547)

Justification:

A downward revenue reprojection of the major tax lines by the Revenue Forecasting Committee in December 2009 resulted in less revenue available for State - Municipal Revenue Sharing to the Local Government Fund and to the Disproportionate Tax Burden Fund in the Department of Treasury. This initiative adjusts the allocation to the respective fund accounts accordingly.

TREASURER OF STATE, OFFICE OF

DEPARTMENT TOTALS

OTHER SPECIAL REVENUE FUNDS

DEPARTMENT TOTAL - ALL FUNDS

2008-09	2009-10	2010-11
\$0	(\$11,204,189)	(\$10,114,936)
\$0	(\$11,204,189)	(\$10,114,936)

Sec. B-1. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Revenue Services - Bureau of 0002

Initiative: RECLASSIFICATIONS

Ref. #: 7

Committee Vote: _____ AFA Vote: _____

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$0	\$23,190	\$8,726
All Other	\$0	(\$23,190)	(\$8,726)
GENERAL FUND TOTAL	\$0	\$0	\$0

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	\$0	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

1 **Be it enacted by the People of the State of Maine as follows:**

2 **PART K**

3 **Sec. K-1. Transfer; unexpended funds; Taxation Revenue Collection**
4 **account.** Notwithstanding any other provision of law, the State Controller shall transfer
5 \$140,000 in unexpended funds from the Other Special Revenue Funds, Taxation Revenue
6 Collection account in the Department of Administrative and Financial Services to
7 General Fund unappropriated surplus at the close of fiscal year 2009-10.

8

Fiscal Note

	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13
Transfers				
General Fund	\$140,000	\$0	\$0	\$0
Other Special Revenue	-\$140,000	\$0	\$0	\$0

9

SUMMARY

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PART K

11 This Part transfers certain unexpended funds from the Other Special Revenue Funds,
12 Taxation Revenue Collection account in the Department of Administrative and Financial
13 Services to General Fund unappropriated surplus at the close of fiscal year 2009-10.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **PART DD**

3 **Sec. DD-1. Transfer; unexpended funds; Bureau of Revenue Services**
4 **Fund.** Notwithstanding any other provision of law, the State Controller shall transfer
5 \$350,000 by June 30, 2010 and \$200,000 by June 30, 2011 in unexpended funds from the
6 Bureau of Revenue Services Fund in the Department of Administrative and Financial
7 Services to General Fund unappropriated surplus.

8

Fiscal Note

	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13
Transfers				
General Fund	\$350,000	\$200,000	\$0	\$0
Bureau of Revenue Services				
Fund	-\$350,000	-\$200,000	\$0	\$0

9

SUMMARY

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PART DD

11 This Part provides for the transfer of certain unexpended funds from the Bureau of
12 Revenue Services Fund in the Department of Administrative and Financial Services to
13 General Fund unappropriated surplus in fiscal years 2009-10 and 2010-11.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **PART GG**

3 **Sec. GG-1. 36 MRSA §5211, sub-§14**, as amended by PL 2009, c. 213, Pt. NN,
4 §1 and affected by §5, is further amended to read:

5 **14. Sales factor formula.** The sales factor is a fraction, the numerator of which is
6 the total sales of the taxpayer in this State during the tax period, and the denominator of
7 which is the total sales of the taxpayer everywhere during the tax period. For purposes of
8 calculating the sales factor, "total sales of the taxpayer" includes sales of the taxpayer and
9 of any member of an affiliated group with which the taxpayer conducts a unitary
10 business. The formula must exclude from both the numerator and the denominator sales
11 of tangible personal property delivered or shipped, regardless of F.O.B. point or other
12 conditions of the sale, to a purchaser within a state in which the taxpayer, or any member
13 of any affiliated group with which the taxpayer conducts a unitary business, is not taxable
14 within the meaning of subsection 2.

15 **Sec. GG-2. Application.** This Part applies to income tax years beginning on or
16 after January 1, 2010.

17

Fiscal Note

	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13
Revenue				
General Fund	\$0	\$2,850,000	\$2,992,500	\$3,142,125
Other Special Revenue	\$0	\$150,000	\$157,500	\$165,375

18 **SUMMARY**

19 **PART GG**

20 This Part adopts the so-called "Finnigan approach" process for purposes of
21 calculating the sales apportionment factor for C corporations. The Finnigan approach
22 treats all members of the taxpayer's unitary affiliated group, whether they have nexus
23 with Maine or not, as one entity. As a result, sales from the nonnexus affiliates within the
24 unitary business of the taxpayer to Maine customers are included in both the numerator
25 and the denominator as if the nonnexus entity had nexus with Maine.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **PART HH**

3 **Sec. HH-1. 36 MRSA c. 914-C** is enacted to read:

4 **CHAPTER 914-C**

5 **2010 TAX RECEIVABLES REDUCTION INITIATIVES**

6 **§6601. 2010 Tax Receivables Reduction Initiatives established**

7 There are established the 2010 Tax Receivables Reduction Initiatives, referred to in
8 this chapter as "the initiatives" and consisting of 2 separate initiatives, referred to in this
9 chapter as "the short-term initiative" and "the 5-year initiative." The initiatives are
10 intended to encourage delinquent taxpayers to pay existing tax obligations. The goal of
11 the initiatives is to raise revenue during fiscal year 2010-11 and to reduce existing tax
12 receivables.

13 **§6602. Administration**

14 The State Tax Assessor shall administer the initiatives. The short-term initiative
15 applies to tax liabilities that are assessed as of December 31, 2009 and interest and
16 penalties subsequently assessed on such tax liabilities. The 5-year initiative applies to tax
17 liabilities that were assessed as of June 30, 2005 and interest and penalties subsequently
18 assessed on such tax liabilities. A taxpayer may participate in the initiatives without
19 regard to whether the amount due is subject to a pending administrative or judicial
20 proceeding. Participation in the initiatives is conditioned upon the taxpayer's agreement
21 to forgo or withdraw a protest or an administrative or judicial proceeding with regard to
22 liabilities paid under the initiatives and not to claim a refund of money paid under the
23 initiatives. These initiatives are available to a taxpayer if the taxpayer:

24 **1. Application.** Properly completes and files a 2010 tax initiatives application as
25 described in section 6605 and as required by the assessor;

26 **2. Tax, interest and penalty paid.** Pays all tax, interest and penalty for the
27 respective initiative as described in section 6606 by the end of the initiatives period under
28 section 6604;

29 **3. No criminal action pending.** Is not currently charged with, and has not been
30 accepted by the Attorney General for criminal prosecution arising from, a violation of the
31 state tax law as provided in this Title or Title 17-A or is not applying for relief on a debt
32 that is the result of a criminal conviction; and

33 **4. No collection by warrant or civil action.** Is not applying for relief with respect
34 to a tax liability for which the State has secured a warrant or civil judgment in its favor in
35 Superior Court.

1 **§6603. Undisclosed liabilities**

2 This chapter does not prohibit the State Tax Assessor from instituting civil or
3 criminal proceedings against any taxpayer with respect to any amount of tax that is not
4 paid with the 2010 tax initiatives application described in section 6605 or on any other
5 return filed with the assessor.

6 **§6604. Initiatives period**

7 A 2010 tax initiatives application described in section 6605 may be filed from
8 September 1, 2010 to November 30, 2010.

9 **§6605. Initiatives application**

10 The State Tax Assessor shall prepare and make available the 2010 tax initiatives
11 application. The application and associated guidelines prepared by the assessor, which
12 govern participation in the initiatives, are exempt from the Maine Administrative
13 Procedure Act. Each application requires the approval of the assessor and must include
14 the amount of tax, interest and penalty to be paid, as determined pursuant to section 6606,
15 the initiative being applied for and the periods to which the liability applies. The assessor
16 may deny any application not consistent with this chapter.

17 **§6606. Waiver of penalties or interest**

18 **1. Short-term initiative.** A taxpayer who participates in the short-term initiative
19 and whose application is approved by the State Tax Assessor is entitled to a waiver by the
20 assessor of 95% of the penalties otherwise due.

21 **2. Five-year initiative.** A taxpayer who participates in the 5-year initiative and
22 whose application is approved by the assessor is entitled to a waiver by the assessor of
23 95% of the penalties and interest otherwise due.

24 **§6607. Collection action not stayed**

25 An enforced collection action, including, but not limited to, a wage levy, bank levy or
26 refund setoff, is not stayed until a taxpayer's tax initiatives application under section 6605
27 has been accepted by the State Tax Assessor and the taxpayer has paid all the tax, interest
28 and penalties due pursuant to section 6602, subsection 2.

29

Fiscal Note

	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13
Revenue				
General Fund	\$0	\$9,500,000	-\$1,900,000	-\$1,900,000
Other Special Revenue	\$0	\$500,000	-\$100,000	-\$100,000

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SUMMARY

PART HH

This Part creates the 2010 Tax Receivables Reduction Initiatives to raise revenue and reduce outstanding tax receivables. There are 2 separate initiatives: a short-term initiative that applies to tax liabilities that are assessed as of December 31, 2009; and a 5-year initiative that applies to tax liabilities that were assessed as of June 30, 2005. A taxpayer who participates in the short-term initiative is eligible for a waiver of 95% of the penalties due upon payment of the tax and interest. A taxpayer who participates in the 5-year initiative is eligible for a waiver of 95% of the interest and penalties otherwise due upon payment of the tax.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **PART II**

3 **Sec. II-1. 36 MRSA §691, sub-§1, ¶A**, as amended by PL 2007, c. 437, §8, is
4 further amended to read:

5 A. "Eligible business equipment" means qualified property that, in the absence of
6 this subchapter, would first be subject to assessment under this Part on or after April
7 1, 2008. "Eligible business equipment" includes, without limitation, repair parts,
8 replacement parts, replacement equipment, additions, accessions and accessories to
9 other qualified business property that first became subject to assessment under this
10 Part before April 1, 2008 if the part, addition, equipment, accession or accessory
11 would, in the absence of this subchapter, first be subject to assessment under this Part
12 on or after April 1, 2008. "Eligible business equipment" also includes inventory
13 parts.

14 "Eligible business equipment" does not include:

15 (1) Office furniture, including, without limitation, tables, chairs, desks,
16 bookcases, filing cabinets and modular office partitions;

17 (2) Lamps and lighting fixtures used primarily for the purpose of providing
18 general purpose office or worker lighting;

19 (3) Property owned or used by an excluded person;

20 (4) Telecommunications personal property subject to the tax imposed by section
21 457;

22 (5) Gambling machines or devices, including any device, machine, paraphernalia
23 or equipment that is used or usable in the playing phases of any gambling activity
24 as that term is defined in Title 8, section 1001, subsection 15, whether that
25 activity consists of gambling between persons or gambling by a person involving
26 the playing of a machine. "Gambling machines or devices" includes, without
27 limitation:

28 (a) Associated equipment as defined in Title 8, section 1001, subsection 2;

29 (b) Computer equipment used directly and primarily in the operation of a
30 slot machine as defined in Title 8, section 1001, subsection 39;

31 (c) An electronic video machine as defined in Title 17, section 330,
32 subsection 1-A;

33 (d) Equipment used in the playing phases of lottery schemes; and

34 (e) Repair and replacement parts of a gambling machine or device;

35 (6) Property located at a retail sales facility and used primarily in a retail sales
36 activity unless the property is owned by a business that operates a retail sales
37 facility in the State exceeding 100,000 square feet of interior customer selling
38 space that is used primarily for retail sales and whose Maine-based operations
39 derive less than 30% of their total annual revenue on a calendar year basis from

1 sales that are made at a retail sales facility located in the State. For purposes of
2 this subparagraph, the following terms have the following meanings:

3 (a) "Primarily" means more than 50% of the time;

4 (b) "Retail sales activity" means an activity associated with the selection and
5 purchase of goods or services or the rental of tangible personal property.
6 "Retail sales activity" does not include production as defined in section 1752,
7 subsection 9-B; and

8 (c) "Retail sales facility" means a structure used to serve customers who are
9 physically present at the facility for the purpose of selecting and purchasing
10 goods or services at retail or for renting tangible personal property. "Retail
11 sales facility" does not include a separate structure that is used as a
12 warehouse or call center facility; ~~or~~

13 (7) Property that is not entitled to an exemption by reason of the additional
14 limitations imposed by subsection 2-; or

15 (8) Personal property that would otherwise be entitled to exemption under this
16 subchapter used primarily to support a telecommunications antenna used by a
17 telecommunications business subject to the tax imposed by section 457.

18 **Sec. II-2. 36 MRSA §6652, sub-§1-B, ¶B**, as amended by PL 2003, c. 625, §1
19 and affected by §3 and amended by c. 687, Pt. A, §10 and affected by Pt. B, §11, is
20 further amended to read:

21 B. Lamps and lighting fixtures; ~~and~~

22 **Sec. II-3. 36 MRSA §6652, sub-§1-B, ¶C**, as repealed and replaced by PL
23 2005, c. 218, §61 and affected by §63, is amended to read:

24 C. Gambling machines or devices, including any device, machine, paraphernalia or
25 equipment that is used or usable in the playing phases of any gambling activity as that
26 term is defined in Title 8, section 1001, subsection 15, whether that activity consists
27 of gambling between persons or gambling by a person involving the playing of a
28 machine. "Gambling machines or devices" includes, without limitation:

29 (1) Associated equipment as defined in Title 8, section 1001, subsection 2;

30 (2) Computer equipment used directly and primarily in the operation of a slot
31 machine as defined in Title 8, section 1001, subsection 39;

32 (3) An electronic video machine as defined in Title 17, section 330, subsection
33 1-A;

34 (4) Equipment used in the playing phases of lottery schemes; and

35 (5) Repair and replacement parts of a gambling machine or device-; or

36 **Sec. II-4. 36 MRSA §6652, sub-§1-B, ¶D** is enacted to read:

37 D. Personal property that would otherwise be entitled to reimbursement under this
38 chapter used primarily to support a telecommunications antenna used by a
39 telecommunications business subject to the tax imposed by section 457.

1 **Sec. II-5. Application.** That section of this Part that amends the Maine Revised
2 Statutes, Title 36, section 691, subsection 1, paragraph A applies to property tax years
3 beginning on or after April 1, 2010. That section of this Part that amends Title 36,
4 section 6652, subsection 1-B applies to application periods beginning on or after August
5 1, 2010.

6

Fiscal Note

	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13
Revenue				
General Fund	\$0	\$500,000	\$500,000	\$500,000

7

SUMMARY

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PART II

9 This Part excludes personal property used primarily to support an antenna used by a
10 telecommunications business from the business equipment tax exemption program for
11 property tax years beginning on or after April 1, 2010 and from the Business Equipment
12 Tax Reimbursement program for application periods beginning on or after August 1,
13 2010 for property taxes paid in calendar year 2009 and subsequent calendar years.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **PART JJ**

3 **Sec. JJ-1. 30-A MRSA §5681, sub-§5-C**, as enacted by PL 2009, c. 213, Pt. S,
4 §6 and affected by §16, is amended to read:

5 **5-C. Transfers to General Fund.** For the months beginning on or after July 1,
6 2009, ~~\$18,758,840~~ \$30,758,840 in fiscal year 2009-10 and ~~\$25,260,943~~ \$40,260,943 in
7 fiscal year 2010-11 from the total transfers pursuant to subsection 5 must be transferred to
8 General Fund undedicated revenue. The amounts transferred to General Fund
9 undedicated revenue each fiscal year pursuant to this subsection must be deducted from
10 the distributions required by subsections 4-A and 4-B based on the percentage share of
11 the transfers to the Local Government Fund pursuant to subsection 5. The reductions in
12 this subsection must be allocated to each month proportionately based on the budgeted
13 monthly transfers to the Local Government Fund as determined at the beginning of the
14 fiscal year.

15 **Sec. JJ-2. Transfers to General Fund for fiscal year 2009-10.**
16 Notwithstanding the requirement in the Maine Revised Statutes, Title 30-A, section 5681,
17 subsection 5-C that amounts be transferred to General Fund undedicated revenue on a
18 proportionate basis, for fiscal year 2009-10, the transfer of the amount as increased
19 pursuant to this Part must be transferred on a proportional basis based on the number of
20 months remaining in fiscal year 2009-10 following the effective date of this Part.

21

	Fiscal Note			
	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13
Revenue				
General Fund	\$12,000,000	\$15,000,000	\$0	\$0
Other Special Revenue	-\$12,000,000	-\$15,000,000	\$0	\$0

22 **SUMMARY**

23 **PART JJ**

24 This Part requires an additional transfer from the Local Government Fund to the
25 General Fund of \$12,000,000 in fiscal year 2009-10 and \$15,000,000 in fiscal year
26 2010-11. The increased amount for fiscal year 2009-10 must be transferred on a
27 proportional basis based on the number of months remaining in the fiscal year.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **PART KK**

3 **Sec. KK-1. 36 MRSA §6207, sub-§2-A**, as enacted by PL 2007, c. 700, Pt. A,
4 §2, is amended to read:

5 **2-A. Income eligibility.** ~~For application periods beginning on or after August 1,~~
6 ~~2008,~~ a A single-member household with a household income in excess of ~~\$60,000~~
7 \$36,900 and a household with 2 or more members with a household income in excess of
8 ~~\$80,000~~ \$49,200 are not eligible for a benefit.

9 **Sec. KK-2. 36 MRSA §6209, sub-§4**, as amended by PL 2009, c. 434, §81, is
10 further amended to read:

11 **4. Income eligibility adjustment.** Beginning March 1, ~~2009~~ 2011, the State Tax
12 Assessor shall annually multiply the household income eligibility adjustment factor by
13 the maximum income eligibility amounts specified in section 6207, subsection 2-A, as
14 previously adjusted. The result must be rounded to the nearest \$50 and applies to the
15 application period beginning the next August 1st.

16 **Sec. KK-3. Application.** That section of this Part that amends the Maine Revised
17 Statutes, Title 36, section 6207, subsection 2-A applies to application periods beginning
18 on or after August 1, 2010.

19 **Sec. KK-4. Effective date.** That section of this Part that amends the Maine
20 Revised Statutes, Title 36, section 6207, subsection 2-A takes effect August 1, 2010.

21

Fiscal Note

	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13
Revenue				
General Fund	\$0	\$5,581,932	\$7,089,384	\$7,279,784
Other Special Revenue	\$0	-\$3,388	-\$9,443	-\$11,036

22 **SUMMARY**

23 **PART KK**

24 This Part amends the Maine Residents Property Tax Program by modifying the
25 income limitations to restrict eligibility for the program to single-member households
26 with incomes of \$36,900 or less and households with 2 or more members with incomes of
27 \$49,200 or less. This Part also changes the year the annual income eligibility adjustment
28 for inflation begins to 2011 to reflect the change in income limitations.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **PART LL**

3 **Sec. LL-1. 5 MRSA §13080-S, sub-§3**, as enacted by PL 1995, c. 644, §2, is
4 amended to read:

5 **3. Deposit and payment of revenue.** On or before ~~June 30th~~ July 15th of each year,
6 if the approval of the assessor has been issued pursuant to subsection 2, the
7 Commissioner of Administrative and Financial Services shall deposit an amount equal to
8 50% of the employment tax increment for the preceding year into a contingent account
9 established, maintained and administered by the Commissioner of Administrative and
10 Financial Services. On or before July 31st of each year, the Commissioner of
11 Administrative and Financial Services shall pay that amount to the fund.

12 **Sec. LL-2. 36 MRSA §6758, sub-§3**, as amended by PL 2009, c. 361, §34 and c.
13 461, §28, is repealed and the following enacted in its place:

14 **3. Deposit and payment of revenue.** On or before July 15th of each year, the
15 assessor shall certify to the State Controller the total retained employment tax
16 increment revenues for the preceding calendar year for approved employment
17 tax increment financing programs to be transferred to the state employment
18 tax increment contingent account established, maintained and administered
19 by the State Controller from General Fund undedicated revenue within the
20 withholding tax category. On or before July 31st of each year, the assessor
21 shall pay to each approved qualified business an amount equal to the retained
22 employment tax increment revenues of that qualified business for the
23 preceding calendar year.

24

Fiscal Note

	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13
Revenue				
General Fund	\$7,837,500	\$712,500	\$712,500	\$712,500
Other Special Revenue	\$412,500	\$37,500	\$37,500	\$37,500

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27 **SUMMARY**

28 **PART LL**

29 This Part changes the date of the employment tax increment financing deposit from
30 on or before June 30th to July 15th of each year and delays the deposit of the Loring
31 Development Authority payment from June 30th to July 15th beginning in fiscal year
32 2009-10. This Part also corrects a conflict that resulted when 2 conflicting laws were
33 enacted in the First Regular Session of the 124th Legislature.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **PART MM**

3 **Sec. MM-1. 36 MRSA §685, sub-§4**, as enacted by PL 1997, c. 643, Pt. HHH,
4 §3 and affected by §10, is amended to read:

5 **4. Estimated and final payments by the State.** Reimbursement to municipalities
6 must be made in the following manner.

7 A. The bureau shall estimate the amount of reimbursement required under this
8 section for each municipality and certify ~~80%~~ 75% of the estimated amount to the
9 Treasurer of State by August 1st, annually. The Treasurer of State shall pay by
10 August 15th, annually, the amount certified to each municipality entitled to
11 reimbursement.

12 B. A municipality claiming reimbursement under this section shall submit a claim to
13 the bureau by November 1st of the year in which the exemption applies or within 30
14 days of commitment of taxes, whichever occurs later. The bureau shall review the
15 claims and determine the total amount to be paid. The bureau shall certify and the
16 Treasurer of State shall pay by ~~December~~ July 15th of the year following the year in
17 which the exemption applies the difference between the estimated payment issued
18 and the amount that the bureau finally determines for ~~that tax~~ the year in which the
19 exemption applies. ~~Municipal claims that are timely filed after November 1st must be~~
20 ~~paid as soon as reasonably possible after the December 15th payment date.~~ If the total
21 amount of reimbursement to which a municipality is entitled is less than the amount
22 received under paragraph A, the municipality shall repay the excess to the State by
23 December 30th of ~~the~~ that year, or the amount may be offset against the amount of
24 state-municipal revenue sharing due the municipality under Title 30-A, section 5681.

25 **Sec. MM-2. Application.** That section of this Part that amends the Maine
26 Revised Statutes, Title 36, section 685, subsection 4 applies to reimbursements for
27 property tax years beginning on or after April 1, 2010.

28 **SUMMARY**

29 **PART MM**

30 This Part adjusts the estimated reimbursement payment to municipalities under the
31 homestead property tax exemption program to 75% and delays the due date for the final
32 payment to the following fiscal year.