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H.P. 46

House of Representatives, January 13, 2021

An Act To Provide Critical Communications for Family Farms, Businesses and Residences by Strategic Public Investment in Highspeed Internet and Broadband Infrastructure

(EMERGENCY)

Received by the Clerk of the House on January 11, 2021. Referred to the Committee on Taxation pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

ROBERT B. HUNT

R(+ B. Hunt

Clerk

Presented by Representative McCREA of Fort Fairfield. Cosponsored by President JACKSON of Aroostook and

Representatives: BERRY of Bowdoinham, CARLOW of Buxton, DUNPHY of Old Town, GROHOSKI of Ellsworth, McCREIGHT of Harpswell, SKOLFIELD of Weld, TUELL of East

Machias, Senator: MAXMIN of Lincoln.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and 3 Whereas, this legislation provides funding to the ConnectMaine Authority to address 4 critical needs to deploy high-speed Internet and broadband infrastructure in the State; and 5 Whereas, this legislation needs to take effect before the expiration of the 90-day period in order for this funding to be available as soon as possible; and 6 7 Whereas, in the judgment of the Legislature, these facts create an emergency within 8 the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, 9 therefore, 10 11 Be it enacted by the People of the State of Maine as follows: 12 Sec. 1. 36 MRSA §1951-C, as enacted by PL 2019, c. 441, §8, is amended by 13 amending the section headnote to read: 14 §1951-C. Collection of tax by marketplace facilitators and marketplace sellers; 15 application of tax revenue 16 **Sec. 2. 36 MRSA §1951-C, first** ¶, as enacted by PL 2019, c. 441, §8, is amended 17 18 This section governs the collection, reporting and remittance of sales and use tax by marketplace facilitators and marketplace sellers and application of resulting tax revenue. 19 20 **Sec. 3. 36 MRSA §1951-C, sub-§5** is enacted to read: 5. Application of tax revenue. All sales and use tax revenue collected by the State 21 Tax Assessor pursuant to this Part from marketplace facilitators, with respect to 22 marketplace-facilitated sales, must be deposited into the General Fund, except that, on or 23 24 before the last day of each month, the State Controller shall transfer to the ConnectMaine 25 Authority, established under Title 35-A, section 9203, the following amount, to be used to further deployment of high-speed Internet and broadband infrastructure to unserved and 26 underserved areas of the State: 33% of sales and use tax revenue received from marketplace 27 28 facilitators, with respect to marketplace-facilitated sales, during the previous month after 29 making the required transfers to the Local Government Fund as described by Title 30-A, 30 section 5681, to the Multimodal Transportation Fund as described by Title 23, section 31 4210-B, subsection 7-A and to the Tourism Marketing Promotion Fund as described by Title 5, section 13090-K, subsection 2. 32 33 **Sec. 4.** Application. This Act applies to sales occurring on or after June 1, 2021. 34 **Emergency clause.** In view of the emergency cited in the preamble, this legislation 35 takes effect when approved. **SUMMARY** 36 37 This bill requires that 33% of sales and use tax revenue collected by the State Tax 38 Assessor from marketplace facilitators, with respect to marketplace-facilitated sales, after

required transfers to other funds be transferred to the ConnectMaine Authority to further

39

- deployment of high-speed Internet and broadband infrastructure to unserved and underserved areas of the State. 1 2