



# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 966

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H.P. 712

House of Representatives, March 9, 2021

**Resolve, Establishing the Commission To Study Fair, Equitable and  
Competitive Tax Policy for Maine's Working Families and Small  
Businesses**

(EMERGENCY)

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Reference to the Committee on Taxation suggested and ordered printed.

*Robert B. Hunt*

ROBERT B. HUNT  
Clerk

Presented by Representative TEPLER of Topsham.  
Cosponsored by Senator CHIPMAN of Cumberland and  
Representatives: Speaker FECTION of Biddeford, MATLACK of St. George, TERRY of  
Gorham.

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 resolve establishes the Commission To Study Fair, Equitable and  
4 Competitive Tax Policy for Maine's Working Families and Small Businesses, the duties of  
5 which are to determine the effects of current tax policy on working families and propose  
6 changes to make those policies fairer to working families; and

7       **Whereas,** the study must be initiated before the 90-day period expires in order that  
8 the study may be completed and a report submitted in time for submission to the next  
9 legislative session; and

10       **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
11 the meaning of the Constitution of Maine and require the following legislation as  
12 immediately necessary for the preservation of the public peace, health and safety; now,  
13 therefore, be it

14       **Sec. 1. Commission established. Resolved:** That the Commission To Study  
15 Fair, Equitable and Competitive Tax Policy for Maine's Working Families and Small  
16 Businesses, referred to in this resolve as "the commission," is established.

17       **Sec. 2. Commission membership. Resolved:** That, notwithstanding Joint Rule  
18 353, the commission consists of 14 members appointed as follows:

19           1. Three members of the Senate appointed by the President of the Senate, including a  
20 member from each of the 2 parties holding the largest number of seats in the Legislature;

21           2. Three members of the House of Representatives appointed by the Speaker of the  
22 House, including a member from each of the 2 parties holding the largest number of seats  
23 in the Legislature;

24           3. Four members appointed by the Governor:

25               A. One member representing the Office of the Governor;

26               B. One member representing a statewide organization that represents the interests of  
27 municipalities;

28               C. One member representing a statewide organization that represents farming interests;  
29 and

30               D. One member who is a tax policy expert;

31           4. One public member representing the interests of small businesses and one public  
32 member representing the interests of working families, appointed by the President of the  
33 Senate; and

34           5. One public member representing the interests of small businesses and one public  
35 member representing the interests of working families, appointed by the Speaker of the  
36 House.

37       **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair  
38 and the first-named House of Representatives member is the House chair of the  
39 commission.

**Sec. 4. Appointments; convening of commission. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business.

**Sec. 5. Duties. Resolved:** That the commission shall study issues associated with the effects of tax policy on the State's working families and small businesses and shall develop recommendations designed to ensure that the tax policy of the State is fair and equitable, improves the competitive position of the State, encourages more investment in new and existing small businesses in the State and helps attract skilled and knowledgeable workers necessary for a sustainable, growing economy in all regions of the State. In examining the issues, the commission shall consider measures designed to level the playing field for small businesses and to aid entrepreneurs and the importance to working families and businesses of adequately funding important government services, such as aid to local services, education, infrastructure maintenance and affordable health care, and propose measures that ensure these services are adequately funded. The commission shall also evaluate the direct impact of any proposed tax changes on after-tax income by income decile.

**Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide necessary staffing services to the commission, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.

**Sec. 7. Provision of information to commission.** The Department of Administrative and Financial Services, Maine Revenue Services shall provide to the commission information, consistent with the restrictions set forth in the Maine Revised Statutes, Title 36, section 191, that is requested by the commission.

**Sec. 8. Report. Resolved:** That, no later than November 4, 2021, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 130th Legislature.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

## SUMMARY

This resolve establishes the Commission To Study Fair, Equitable and Competitive Tax Policy for Maine's Working Families and Small Businesses and directs the commission, no later than November 4, 2021, to submit a report, including suggested legislation, for presentation to the Second Regular Session of the 130th Legislature.