TAX EXPENDITURE REVIEW -- 2019 TAX EXPENDITURE WORKSHEET -- EXPEDITED REVIEW

.



PROVISIONS FOR 2019 EXPEDITED REVIEW:

I. TAX POLICIES:	
A. Public support for certain organizations	pp. 5-17
Items 1 to 12 on chart	
B. Public support for students, youth and schools	рр. 20-23
Items on 13 to 16 on chart	
C. Public support persons with disabilities	p. 24
Item 17 on chart	

TAX EXPENDITURE REVIEW -- 2019 TAX EXPENDITURE WORKSHEET – EXPEDITED REVIEW

PROVISIONS FOR 2019 EXPEDITED REVIEW:

I. TAX POLICIES:	
A. Public support for certain organizations	pp. 5-17
Items 1 to 12 on chart	
B. Public support for students, youth and schools	рр. 20-23
Items on 13 to 16 on chart	
C. Public support persons with disabilities	p. 24
Item 17 on chart	

TAX POLICY WORKSHEET: PUBLIC SUPPORT FOR CERTAIN ORGANIZATIONS

_

2.	Public support for students youth and schools	· · · · · · · · · · · · · · · · · · ·
	Statutory criteria for evaluation	Notes
	a. Reasons for tax policy	
	b. The extent to which the reasons for the adoption of this policy remain or whether reconsideration is needed	
	c. The extent to which the tax policy is consistent with other state goals	
	d. The past and future fiscal impact of the tax policy	

3.	Public support for persons with disabilities	
	Statutory criteria for evaluation	Notes
	a. Reasons for tax policy	
	b. The extent to which the reasons for the adoption of this policy remain or whether reconsideration is needed	
	c. The extent to which the tax policy is consistent with other state goals	
	d. The past and future fiscal impact of the tax policy	

		OPEGA ¹	MRS	Est. revenue loss ³		Notes
	Tax Expenditure	rept page	TER ² page	FY 20	FY 21	
	PUBLIC SUPPORT FOR CERTAIN O	CHARIT	ABLI	E ORGANIZ	ZATIONS	
1	 Sales tax exemption and service provider tax exemptions for sales to: A. Incorporated hospitals; B. Incorporated nonprofit nursing homes licensed by DHHS: C. Incorporated nonprofit residential care facilities licensed by DHHS; D. Incorporated nonprofit assisted housing programs for the elderly licensed by DHHS; E. Incorporated nonprofit home health agencies certified under Social Security Act; F. Incorporated nonprofit rural community health centers or federally qualified health centers; G. Incorporated nonprofit dental health centers; G. Incorporated nonprofit free medical clinics for indigent or uninsured; H. Incorporated nonprofit organization with sole purpose of conducting medical research; I. Incorporated nonprofit organizations with purpose of operating laboratories for scientific study and investigation in biology or ecology; J. Institutions incorporated as nonprofit for the purpose of operating educational television or radio stations; 	8	95	<u>Sales tax:</u> \$6,000,000+ <u>Service</u> <u>provider tax:</u> \$250,000 To \$9999,999	<u>Sales tax:</u> \$\$6,000,000+ <u>Service</u> <u>provider tax:</u> \$250,000 To \$999,999	Estimated range. Little or no data available Number of exempt entities on file: (per MRS) A. 55 B. 7 C. 98 D. E. 27 F. 1 G. 11 G. 11 G-1. 1 H. 27 I. 19 J. 15 K. 725 L. 26 M. 2,232

¹ Office of Program Evaluation and Government Accountability. Information to Support 2018 Expedited Reviews of Maine State Tax Expenditures; "Charitable" and "Specif Policy Goal" Tax Expenditures. July 2018
 ² Department of Administrative and Financial Services, Maine Revenue Services. Maine State Tax Expenditure Report 2018 – 2019. February 15, 2017.
 ³ Revenue estimates reflect General Fund impacts (unless otherwise indicated). Estimates are based on data provided by Maine Revenue Services.

	OPEGA ¹	MRS	Est. rev	enue loss ³	Notes
Tax Expenditure	rept page	TER ² page	FY 20	FY 21	
 L. Incorporated nonprofit organizations or affiliates with purpose of providing literacy assistance to children with dyslexia; and M. Regularly organized churches or houses of religious worship. 	Ţ				
; Does not apply to corporations organized under Title IV, Part E of the Farm Credit Act of 1971, 12 USC §§2211-2214					
36§1760.16 36§2557.3					
Summary:					Sales tax rate:5.5%Service provider tax rate:6%
					When the service provider tax was enacted in 2004 the following services subject to sales tax were moved to the service provider tax. Revenue from these services
					 accrues to the <u>General Fund</u>. 1. Cable and satellite television or radio services 2. Fabrication services
					 Rental of video media and equipment Rental of furniture, audio media and audio equipment pursuant to a rental-purchase agreement Telecommunications services The installation, maintenance or repair of
					telecommunications equipment 7. Ancillary services related to telecommunications services
					Service provider tax also applies to the following services that were never subject to sales tax. Revenue from these services accrues to <u>dedicated accounts</u> to match federal Medicaid payments.
					8. Private nonmedical institution services

.

,

OPEGA ¹	MRS	Est. revenue loss ³		Notes
		FY 20	FY 21	
	<u> </u>			 9. Community support services (mental health) 10. Community support services (intellectual disabilities or autism) 11. Home support services 12. Group residential services (brain injuries)
				See OPEGA report (Appendix B)
	OPEGA ¹ rept page	rept TER ²	rept TER ² EV 20	rept TER^2 EV 20 EV 21

		OPEGA ¹	MRS	Est. reve	enue loss ³	Notes
	Tax Expenditure	rept page	TER ² page	FY 20	FY 21	
2	Sales tax and service provider tax exemptions for sales to incorporated private nonprofit residential child care facilities that are licensed by DHHS as child care facilities 36 MRSA §1760.18-A 36 MRSA §2557.4	10	98	ST \$50,000 to \$249,999 SPT \$0 To	ST \$50,000 to \$249,999 SPT \$0 To \$49,999	Estimated range. Little or no data available Number of exempt entities: 98
	Summary:			\$49,999	549,999	
	See also item 6 described below.					
	A. Past and future fiscal impact					
	B. Administrative costs or burdens					
	C. Extent to which this TE is consistent with the broad tax policy and other TEs					
	D. Extent to which the design of the TE is effective in accomplishing its purpose					
	E. Extent to which the benefits reach intended beneficiaries including consideration of enforcement mechanisms			~		
	F. Extent to which the original reasons for the TE still exist					
	G. Are there other reasons to amend or repeal					
	H. Recommendations (retain, repeal, amend)					

[OPEGA ¹	MRS	Est. reve	enue loss ³	Notes
	Tax Expenditure	rept page	TER ² page	FY 20	FY 21	
3	Sales tax and service provider tax exemptions for sales to: 1. incorporated nonprofit fire departments 2. incorporated nonprofit ambulance services and 3. air ambulance services that are limited liability companies all of whose members are nonprofit organizations (and sales of tangible personal property leased to such entities)	12	109	ST \$250,000 To \$999,999 SPT \$0 To \$49,999	ST \$250,000 To \$9999,999 SPT \$0 To \$49,999	Estimated range. Little or no data available Number of exempt entities: Fire depts. 80 Ambulance services 37
	36§1760.26 36 MRSA §2557.5					
	Summary:					
	A. Past and future fiscal impact					
<u></u>	B. Administrative costs or burdens				· · · · · · · · · · · · · · · · · · ·	
	C. Extent to which this TE is consistent with the broad tax policy and other TEs					
	D. Extent to which the design of the TE is effective in accomplishing its purpose					
	E. Extent to which the benefits reach intended beneficiaries including consideration of enforcement mechanisms					
	F. Extent to which the original reasons for the TE still exist					
	G. Are there other reasons to amend or repeal					

ľ	Tax Expenditure	OPEGA ¹ MRS Est. revenue los			enue loss ³	Notes
		rept page	TER ² page	FY 20	FY 21	
	H. Recommendations (retain, repeal, amend)					
4	Sales to mental health facilities, community adult developmental services facilities and community substance use disorder facilities that receive support under: 1. Under the Federal Community Mental Health Centers Act or 2. From DHHs for substance use disorder prevention and treatment, community mental health services, intellectual disabilities or autism. ST 36§1760.28 SPT 36§2557.6	13	110	ST \$50,000 to \$249,999 SPT \$0 to \$49,000	ST \$50,000 to \$249,999 SPT \$0 to \$49,000	Estimated range. Little or no data available Number of exempt entities 1. MH facilities 214 2. Dev. disabil. facilities 225 3. Substance use facilities 11
	Summary:					
	A. Past and future fiscal impact					
	B. Administrative costs or burdens					
	C. Extent to which this TE is consistent with the broad tax policy and other TEs					
	D. Extent to which the design of the TE is effective in accomplishing its purpose					
	E. Extent to which the benefits reach intended beneficiaries including consideration of enforcement mechanisms					
	F. Extent to which the original reasons for the TE still exist					

	Tax Expenditure	OPEGA ¹	MRS	Est. reve	enue loss ³	Notes
		rept page	TER ² page	FY 20	FY 21	
·	G. Are there other reasons to amend or repeal	4				
	H. Recommendations (retain, repeal, amend)					
5	Sales tax and service provider tax exemptions for sales to: 1. Incorporated nonprofit memorial foundations that primarily provide cultural programs free to the public, 2. Historical societies and 3. Museums. 36§1760.42 36 MRSA §2557.8	14	122	ST S50,000 to \$249,999 SPT \$0 to \$49,999	ST \$50,000 to \$249,999 SPT \$0 to \$49,999	Estimated range. Little or no data available Number of exempt entities 443
	Summary:					
	A. Past and future fiscal impact					Please see OPEGA report (Appendix B)
	B. Administrative costs or burdens					
	C. Extent to which this TE is consistent with the broad tax policy and other TEs					
	D. Extent to which the design of the TE is effective in accomplishing its purpose				 	
	E. Extent to which the benefits reach intended beneficiaries including consideration of enforcement mechanisms					
	F. Extent to which the original reasons for the TE still exist					
	G. Are there other reasons to amend or repeal			·····		

		OPEGA ¹	MRS	Est. reve	enue loss ³	Notes
	Tax Expenditure	rept page	TER ² page	FY 20	FY 21	
	H. Recommendations (retain, repeal, amend)					·
6	Sales tax and service provider tax for sales to licensed, incorporated nonprofit child care facilities 36§1760.43 36§2557.9	15	123	ST \$50,000 To \$249,999 SPT \$0 To \$49,999	ST \$50,000 To \$249,999 SPT \$0 To \$49,999	Estimated range. Little or no data available -
	Summary:					
	A. Past and future fiscal impact					Please see OPEGA report (Appendix B)
	B. Administrative costs or burdens					
	C. Extent to which this TE is consistent with the broad tax policy and other TEs					
	D. Extent to which the design of the TE is effective in accomplishing its purpose					
	E. Extent to which the benefits reach intended beneficiaries including consideration of enforcement mechanisms					
	F. Extent to which the original reasons for the TE still exist					

		OPEGA ¹	MRS TED ²	Est. rev	enue loss ³	Notes
	Tax Expenditure	rept page	TER ² page	FY 20	FY 21	
	G. Are there other reasons to amend or repeal	-				
	H. Recommendations (retain, repeal, amend)					
7	Sales tax and service provider tax exemptions for sales to incorporated nonprofit organizations that provide temporary emergency shelter or food for underprivileged individuals 36§1760.47-A 36 §2557. 12	16	128	ST \$50,000 To \$249,999 SPT \$0 To \$49,999	ST \$50,000 To \$249,999 SPT \$0 To \$49,999	Estimated range. Little or no data available
	Summary:					
	A. Past and future fiscal impact					······································
	B. Administrative costs or burdens					
	C. Extent to which this TE is consistent with the broad tax policy and other TEs					
	D. Extent to which the design of the TE is effective in accomplishing its purpose					
	E. Extent to which the benefits reach intended beneficiaries including consideration of enforcement mechanisms					
	F. Extent to which the original reasons for the TE still exist					

		OPEGA ¹	MRS	Est. reve	enue loss ³	Notes
	Tax Expenditure	rept page	TER ² page	FY 20	FY 21	
	G. Are there other reasons to amend or repeal					
	H. Recommendations (retain, repeal, amend)					
8	Sales tax and service provider tax exemptions for sales to 1. Incorporated, nonprofit child abuse and neglect prevention councils; 2. Statewide organizations that advocate for children and are members of Medicaid Advisory Committee; and 3. Community action agencies designated by DHHS 36§1760.49	17	129	ST \$250,000 to \$999,999 SPT \$50,000 to \$249,999	ST \$250,000 to \$999,999 SPT \$50,000 to \$249,999	Estimated range. Little or no data available Number of exempt entities 143
	36§2557.13 Summary:					
	A. Past and future fiscal impact					Please see OPEGA report (Appendix B)
	B. Administrative costs or burdens					
	C. Extent to which this TE is consistent with the broad tax policy and other TEs					
	D. Extent to which the design of the TE is effective in accomplishing its purpose					

		OPEGA ¹	MRS	Est. rev	enue loss ³	Notes
	Tax Expenditure	rept page	TER ² –	FY 20	FY 21	
	E. Extent to which the benefits reach intended beneficiaries including consideration of enforcement mechanisms	9				
	F. Extent to which the original reasons for the TE still exist					
	G. Are there other reasons to amend or repeal					
	H. Recommendations (retain, repeal, amend)					
9	Sales tax and service provider tax exemptions for: 1. <u>Sales to</u> a nonprofit free public lending library that is funded in part or wholly by the State, a political subdivision or the federal govt	14	64	ST \$50,000 to \$249,999	ST \$50,000 to \$249,999	Estimated range. Little or no data available
	 2. <u>Sales by</u> such a library or a nonprofit organization organized to support that library if the proceeds are used to benefit the library. 36§1760.50 36§2557.14 			SPT \$0 to \$49,999	SPT \$0 to \$49,999	Number of exempt entities: 276
	Summary:					
	A. Past and future fiscal impact					
	B. Administrative costs or burdens					
	C. Extent to which this TE is consistent with the broad tax policy and other TEs					

	OPEGA ¹	MRS	Est. reve	enue loss ³	Notes	
	Tax Expenditure	rept page	TER ² page	FY 20	FY 21	
	D. Extent to which the design of the TE is effective in accomplishing its purpose					
	E. Extent to which the benefits reach intended beneficiaries including consideration of enforcement mechanisms			- -		
	F. Extent to which the original reason's for the TE still exist					
-	G. Are there other reasons to amend or repeal					
	H. Recommendations (retain, repeal, amend)					
0	Sales tax and service provider tax exemptions for sales to: 1. Nonprofit youth organizations whose primary purpose is to provide athletic instruction in a nonresidential setting or 2. Councils and local units of incorporated national scouting organizations 36§1760.56 36 §2557.18	19	135	ST \$250,000 to \$999,999 SPT \$50,000 to \$249,999	ST \$250,000 to \$999,999 SPT \$50,000 to \$249,999	Estimated range.Little or no data availableNumber of exempt entities:Athletic youth organizations334National scouting organizations24
	Summary: 1. A. Past and future fiscal impact			<u>.</u>		Please see OPEGA report (Appendix B)

.

		OPEGA ¹	MRS	Est. rev	enue loss ³	Notes
	Tax Expenditure	rept page	TER ² page	FY 20	FY 21	
	C. Extent to which this TE is consistent with the broad tax policy and other TEs	Pug	<u>, r-s-</u>			
	D. Extent to which the design of the TE is effective in accomplishing its purpose					-
	E. Extent to which the benefits reach intended beneficiaries including consideration of enforcement mechanisms					
	F. Extent to which the original reasons for the TE still exist					
	G. Are there other reasons to amend or repeal	· · · · · · · · · · · · · · · · · · ·				
	H. Recommendations (retain, repeal, amend)					
11	Sales tax and service provider tax exemptions for sales to local branches of incorporated nonprofit organizations whose primary purpose is to construct housing for low-income people. 36§1760.67 36§2557.23	22	150	ST \$50,000 to \$249,999 SPT \$0 to \$49,999	ST \$50,000 to \$249,999 SPT \$0 to \$49,999	Estimated range. Little or no data available <u>Number of exempt entities:</u> 33
	Summary:					See also item 12.
	A. Past and future fiscal impact					
	B. Administrative costs or burdens					

Ĩ		OPEGA ¹	MRS	Est. revenue loss ³		Notes
	Tax Expenditure	rept page	TER ² page	FY 20	FY 21	·
	C. Extent to which this TE is consistent with the broad tax policy and other TEs					
	D. Extent to which the design of the TE is effective in accomplishing its purpose					
	E. Extent to which the benefits reach intended beneficiaries including consideration of enforcement mechanisms					
	F. Extent to which the original reasons for the TE still exist					
	G. Are there other reasons to amend or repeal					
	H. Recommendations (retain, repeal, amend)					· ·
2	Sales tax and service provider tax exemptions for sales to nonprofit organizations whose primary purpose is to develop housing for low-income people. 36§1760.72	22	150	ST \$50,000 to \$249,999 SPT \$0 to	ST \$50,000 to \$249,999 SPT \$0 to	Estimated range. Little or no data available <u>Number of exempt entities:</u> 159
	36§2557.27 Summary:			\$49,999	\$49 _{\$} 999	See also item 11.
	A. Past and future fiscal impact					Please see OPEGA report (Appendix B)

		MRS	Est. rev	enue loss ³	Notes
 Tax Expenditure	rept page	TER ² page	FY 20	FY 21	
B. Administrative costs or burdens					
C. Extent to which this TE is consistent with the broad tax policy and other TEs					
D. Extent to which the design of the TE is effective in accomplishing its purpose					
E. Extent to which the benefits reach intended beneficiaries including consideration of enforcement mechanisms					
 F. Extent to which the original reasons for the TE still exist					
G. Are there other reasons to amend or repeal					
H. Recommendations (retain, repeal, amend)					

	PUBLIC SUPPORT FOR STUDENTS	OPEGA 4	PEGA MRS 4 TER ⁵	Est. reve	enue loss ⁶	Taxation Committee comments
	Tax Expenditure	rept page	page	FY 20	FY 21	
3	Sales tax exemption for sales of meals served by public or private schools, school districts, student organizations and parent-teacher associations to the students or teachers of a school 36§1760.6.A	6	76	\$7,690,000	\$7,990,000	Based on MRS sales tax microsimulation model and Maine Dept. of Education data
	Summary:					
	A. Past and future fiscal impact					
	B. Administrative costs or burdens					
	C. Extent to which this TE is consistent with the broad tax policy and other TEs					
	D. Extent to which the design of the TE is effective in accomplishing its purpose				<u>.</u>	
	E. Extent to which the benefits reach intended beneficiaries including consideration of enforcement mechanisms					
	F. Extent to which the original reasons for the TE still exist					
	G. Are there other reasons to amend or repeal			<u></u>		
	H. Recommendations (retain, repeal, amend)					

⁴ Office of Program Evaluation and Government Accountability. Information to Support 2018 Expedited Reviews of Maine State Tax Expenditures; "Charitable" and "Specif Policy Goal" Tax Expenditures. July 2018

⁵ Department of Administrative and Financial Services, Maine Revenue Services. *Maine State Tax Expenditure Report 2018 – 2019*. February 15, 2017. ⁶ Revenue estimates reflect General Fund impacts (unless otherwise indicated). Estimates are based on data provided by Maine Revenue Services.

				·····		
14	Sales of meals served by youth camps licensed by DHHS and defined in 22 MRSA §2491. 36 MRSA §1760.6.F	7	81	\$250,000 to \$999,999	\$250,000 to \$999,999	Estimated range. Little or no data available
	Summary:					
	A. Past and future fiscal impact					Please see OPEGA report (Appendix B)
	B. Administrative costs or burdens					
	C. Extent to which this TE is consistent with the broad tax policy and other TEs					
	D. Extent to which the design of the TE is effective in accomplishing its purpose					
	E. Extent to which the benefits reach intended beneficiaries including consideration of enforcement mechanisms					
	F. Extent to which the original reasons for the TE still exist					
	G. Are there other reasons to amend or repeal					
	H. Recommendations (retain, repeal, amend)					
Ĺ						

5	Rental charged for living quarters, sleeping or housekeeping accommodations to any student necessifated by attendance at school 36 MRSA §1760.19	11	99	\$7,650,000	\$7,880,000	Based on MRS sales tax simulation model
	Summary:					
	A. Past and future fiscal impact					Please see OPEGA report (Appendix B)
_	B. Administrative costs or burdens					
	C. Extent to which this TE is consistent with the broad tax policy and other TEs					
	D. Extent to which the design of the TE is effective in accomplishing its purpose					
	E. Extent to which the benefits reach intended beneficiaries including consideration of enforcement mechanisms					
	F. Extent to which the original reasons for the TE still exist					, ,
	G. Are there other reasons to amend or repeal					
	H. Recommendations (retain, repeal, amend)					

16	Sales by elementary and secondary schools and by student organization sponsored by those schools, including booster clubs and student or parent- teacher organizations if the profits are used to benefit those schools or student organization or are used for a charitable purpose. 36 MRSA §1760.64	20	143	\$250,000 to \$999,999	\$250,000 to \$999,999	Estimated range. Little or no data available
	Summary:					
	A. Past and future fiscal impact					Please see OPEGA report (Appendix B)
	B. Administrative costs or burdens					
	C. Extent to which this TE is consistent with the broad tax policy and other TEs					
	D. Extent to which the design of the TE is effective in accomplishing its purpose					
	E. Extent to which the benefits reach intended beneficiaries including consideration of enforcement mechanisms					
	F. Extent to which the original reasons for the TE still exist					
	G. Are there other reasons to amend or repeal					
	H. Recommendations (retain, repeal, amend)					

: р

C. PUBLIC SUPPORT FOR PERSONS WITH DISABILITIES						
17	Sales to or for a persons with a disability of adaptive equipment for installation in a motor vehicle to make the vehicle operable or accessible to a person with a disability who is issued a disability plate or placard by the Sec. of State, 36 MRSA §1760.95	23	172	\$80,000	\$81,000	Based on fiscal note for original enactment (2014)
	Summary:					
	A. Past and future fiscal impact					Please see OPEGA report (Appendix B)
	B. Administrative costs or burdens					
	C. Extent to which this TE is consistent with the broad tax policy and other TEs					
	D. Extent to which the design of the TE is effective in accomplishing its purpose					
	E. Extent to which the benefits reach intended beneficiaries including consideration of enforcement mechanisms					
	F. Extent to which the original reasons for the TE still exist					
	G. Are there other reasons to amend or repeal					
	H. Recommendations (retain, repeal, amend)					

•