

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill in Part A in section 1 in §5111 in the first paragraph in the first line (page 1, line 6 in L.D.) by striking out the following: "2008" and inserting the following: '2009'

Amend the bill in Part A in section 6 in paragraph N in subparagraph (3) in the 2nd line (page 1, line 35 in L.D.) by striking out the following: "2008" and inserting the following: '2009'

Amend the bill in Part A in section 7 in paragraph L in the 6th line (page 2, line 11 in L.D.) by striking out the following: "2008" and inserting the following: '2009'

Amend the bill in Part A in section 7 in paragraph L in the 12th line (page 2, line 17 in L.D.) by striking out the following: "2008" and inserting the following: '2009'

Amend the bill in Part A in section 8 in paragraph T in the blocked paragraph in the 2nd line (page 2, line 29 in L.D.) by striking out the following: "2008" and inserting the following: '2009'

Amend the bill in Part A in section 8 in paragraph T in the blocked paragraph in the 7th line (page 2, line 34 in L.D.) by striking out the following: "2008" and inserting the following: '2009'

Amend the bill in Part A in section 15 in paragraph N in subparagraph (3) in the 2nd line (page 3, line 31 in L.D.) by striking out the following: "2008" and inserting the following: '2009'

Amend the bill in Part A in section 33 in the first line (page 11, line 30 in L.D.) by striking out the following: "2007-08" and inserting the following: '2008-09'

Amend the bill in Part A in section 33 in the 6th line (page 11, line 35 in L.D.) by striking out the following: "2008-09 and 2009-10" and inserting the following: '2009-10 and 2010-11'

Amend the bill in Part A in section 34 in the first line (page 11, line 38 in L.D.) by striking out the following: "2008" and inserting the following: '2009'

Amend the bill in Part A in section 34 in the 2nd line (page 11, line 39 in L.D.) by striking out the following: "2008" and inserting the following: '2009'

Amend the bill in Part B in section 2 in the 2nd line (page 12, line 14 in L.D.) by striking out the following: "2008" and inserting the following: '2009'

Amend the bill in Part B by striking out all of section 3.

Amend the bill in Part C in section 1 in subsection 1 in the 3rd line from the end (page 12, line 33 in L.D.) by striking out the following: "2009" and inserting the following: '2010'

Amend the bill in Part C in section 1 in subsection 1 in the last line (page 12, line 35 in L.D.) by striking out the following: "2009" and inserting the following: '2010'

Amend the bill in Part C in section 7 in paragraph A-1 in the first line (page 14, line 33 in L.D.) by striking out the following: "2008" and inserting the following: '2009'

Amend the bill in Part C in section 8 in paragraph A-2 in the first line (page 14, line 38 in L.D.) by striking out the following: "2009" and inserting the following: '2010'

Amend the bill in Part C in section 14 in the 4th line (page 16, line 1 in L.D.) by striking out the following: "2008" and inserting the following: '2009'

Amend the bill in Part C in section 14 in the next to the last line (page 16, line 8 in L.D.) by striking out the following: "Joint Standing Committee on Taxation by February 1, 2008" and inserting the following: 'joint standing committee of the Legislature having jurisdiction over taxation matters by February 1, 2009'

Amend the bill in Part C by striking out all of section 15 and inserting the following:

‘Sec. C-15. Application. This Part applies to application periods for the Property Tax and Rent Refund Program beginning on or after August 1, 2009.’

Amend the bill in Part D by striking out all of section 8.

Amend the bill in Part E by striking out all of section 59 and inserting the following:

‘Sec. E-59. Application. Those portions of this Part that affect the taxation of leases and rentals of tangible personal property apply to leases entered into, extended or renewed on or after January 1, 2009.

Sec. E-60. Effective date. Except as otherwise indicated, this Part takes effect January 1, 2009.’

Amend the bill in Part F in section 6 in subsection 4 in the 6th line (page 36, line 20 in L.D.) by striking out the following: "2008" and inserting the following: '2009'

Amend the bill in Part F in section 6 in subsection 4 in the 7th line from the end (page 36, line 31 in L.D.) by striking out the following: "2008" and inserting the following: '2009'

Amend the bill in Part F in section 7 in the first line (page 36, line 38 in L.D.) by striking out the following: "October 1, 2007" and inserting the following: 'January 1, 2009'

Amend the bill in Part G by inserting after section 3 the following:

‘Sec. G-4. Effective date. This Part takes effect January 1, 2009.’

Amend the bill in Part H in section 1 in §1518-A in subsection 3 in the 2nd line (page 37, line 34 in L.D.) by striking out the following: "2009-10" and inserting the following: '2010-11'

Amend the bill in Part I in section 1 in §5686 in subsection 1 in the first line (page 38, line 7 in L.D.) by striking out the following: "2008-09" and inserting the following: '2009-10'

Amend the bill in Part I in section 1 in §5686 in subsection 1 in the last line (page 38, line 13 in L.D.) by striking out the following: "2008-09" and inserting the following: '2009-10'

Amend the bill in Part I in section 1 in §5686 in subsection 2 in the first line (page 38, line 14 in L.D.) by striking out the following: "2009-10" and inserting the following: '2010-11'

Amend the bill by striking out all of Part L and inserting the following:

PART L

Sec. L-1. Statutory referendum procedure; submission at election; form of question; effective date. This Act must be submitted to the legal voters of the State at a statewide election held in November 2008 following the passage of this Act. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Act by voting on the following question:

"Do you favor making various changes to Maine tax laws, including:

1. Changing the income tax rates to a flat 6%;
2. Creating a household credit;
3. Changing the corporate income tax rate to a flat 8.93%;
4. Increasing the homestead property tax deduction to \$26,000;
5. Increasing the benefits available under the Circuitbreaker Program;
6. Establishing a process to permit persons 65 years of age or older to defer property taxes on their homesteads;
7. Broadening the sales tax base to include certain services and repealing certain exemptions;
8. Increasing the sales tax on prepared meals, lodging and rentals of automobiles for less than one year;
9. Increasing the real estate transfer tax and changing the format to provide for a 3-tiered tax based on the value of the property;
10. Increasing the excise tax on wine and malt liquor, except for malt liquor produced by manufacturers of less than 100,000 barrels;
11. Requiring 15% of the growth of sales and income tax to be transferred to the Tax Relief Fund for Maine Residents; and
12. Prohibiting the foreclosure for failure to pay a tax lien on a home owned and occupied for at least 10 years by a person 65 years of age or older until that home is sold or transferred?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If a majority of the legal votes are cast in favor of this Act, the Governor shall proclaim the result without delay and this Act becomes effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Act necessary to carry out the purposes of this referendum.'

SUMMARY

This amendment requires the provisions of the bill to be sent to referendum in November 2008. This amendment also changes the effective dates for the sales tax, malt liquor and wine excise tax and the real estate transfer tax changes to January 1, 2009, following the referendum, and specifies the application date for the Circuitbreaker Program.

This amendment also removes the appropriations and allocations sections from the bill due to the delayed effective date.

FISCAL NOTE REQUIRED
(See attached)