

131st MAINE LEGISLATURE

SECOND REGULAR SESSION-2024

Legislative Document

No. 2256

H.P. 1447

House of Representatives, March 6, 2024

An Act to Provide Emergency One-time Relief from the Wild Blueberry Tax for Growers in Maine

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Taxation suggested and ordered printed.

ROBERT B. HUNT Clerk

R(+ B. Hunt

Presented by Representative PLUECKER of Warren.
Cosponsored by Senator BLACK of Franklin and
Representatives: COSTAIN of Plymouth, CRAY of Palmyra, GUERRETTE of Caribou,
HALL of Wilton, HEPLER of Woolwich, JAUCH of Topsham, SHAW of Auburn.

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the economic status of the State's wild blueberry industry is at a historic low; and

Whereas, in 2023, a declining market caused wild blueberry farmers to spend more to grow and harvest their crop than they earned from farming wild blueberries; and

Whereas, the average price paid to wild blueberry growers, adjusted for inflation, has declined by 45% over the past 20 years; and

Whereas, the price of supplies critically necessary for farming has increased as much as 78% in the last 3 years; and

Whereas, over the past 2 years, interest rates for farmers' bank loans for other than real property have risen faster than at any point in the prior 40 years; and

Whereas, the Wild Blueberry Commission of Maine, which is funded by revenue from a tax imposed on wild blueberry sellers, processors and shippers, is dedicated to conserving and promoting the prosperity and welfare of this State and of the wild blueberry industry of this State; and

Whereas, although the Wild Blueberry Commission of Maine is seeking solutions to improve the economic condition of the State's wild blueberry industry, this legislation is necessary to provide immediate financial assistance to wild blueberry growers; and

Whereas, in the judgment of the Legislature, these facts create an emergency within 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, therefore,

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

Sec. 1. Temporary suspension of tax on sellers of blueberries harvested in the State. Notwithstanding the Maine Revised Statutes, Title 36, section 4303, for calendar year 2024 only, a processor or shipper responsible for reporting and paying the tax imposed by Title 36, section 4303 may not charge or collect the tax levied under Title 36, section 4303 from a seller of wild blueberries harvested in the State in calendar year 2024. A processor or shipper remains responsible for payment of 1/2 of the tax imposed by Title 36, section 4303 on wild blueberries harvested in the State in calendar year 2024 and for collection and payment of the entire tax imposed by Title 36, section 4303 on all wild blueberries not harvested in the State in calendar year 2024.

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

36 SUMMARY

Current law imposes a tax at the rate of 1.5 cents per pound on wild blueberries shipped or processed in the State; 1/2 of the tax is paid by the seller and 1/2 of the tax is paid by the processor or the shipper. This bill exempts sellers of blueberries harvested in the State from the imposition of the blueberry tax for the 2024 calendar year, which will result in a

- tax of 0.75 cents per pound on processors and shippers for blueberries harvested in the State. Processors and shippers continue to be responsible for collecting and paying the tax on blueberries harvested outside the State. 1
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