



# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 718

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H.P. 494

House of Representatives, March 5, 2015

### An Act To Avoid Loss of Revenue to the State

(EMERGENCY)

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Reference to the Committee on Taxation suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative CHIPMAN of Portland.  
Cosponsored by Senator LIBBY of Androscoggin and  
Representatives: BICKFORD of Auburn, CHACE of Durham, GOODE of Bangor, MOONEN  
of Portland, SKOLFIELD of Weld, STANLEY of Medway, SUKEFORTH of Appleton,  
TEPLER of Topsham.

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,** the increase in the sales tax on lodging to 8% is scheduled to expire on  
4 July 1, 2015; and

5           **Whereas,** it is necessary to maintain adequate revenue to the State to support needed  
6 expenditures; and

7           **Whereas,** reducing the sales tax on lodging will result in the State's having  
8 insufficient revenue to support needed expenditures; and

9           **Whereas,** it is necessary to avoid the reduction in the sales tax on lodging on July  
10 1st in order to avoid confusion for taxpayers and administrative burdens for both  
11 taxpayers and the State; and

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

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

17           **Sec. 1. 5 MRSA §13090-K, sub-§2,** as amended by PL 2013, c. 368, Pt. M, §1, is  
18 further amended to read:

19           **2. Source of fund.** Beginning July 1, 2003 and every July 1st thereafter, the State  
20 Controller shall transfer to the Tourism Marketing Promotion Fund an amount, as  
21 certified by the State Tax Assessor, that is equivalent to 5% of the 8% tax on the value of  
22 rental of living quarters in any hotel, rooming house or tourist or trailer camp and 5% of  
23 the 7% tax imposed on tangible personal property and other taxable services pursuant to  
24 Title 36, section 1811, for the first 6 months of the prior fiscal year after the reduction for  
25 the transfer to the Local Government Fund as described by Title 30-A, section 5681,  
26 subsection 5, except that, from October 1, 2013 to June 30, 2015, the amount is  
27 equivalent to 5% of the 8% tax imposed on tangible personal property and taxable  
28 services pursuant to Title 36, section 1811. Beginning on October 1, 2003 and every  
29 October 1st thereafter, the State Controller shall transfer to the Tourism Marketing  
30 Promotion Fund an amount, as certified by the State Tax Assessor, that is equivalent to  
31 5% of the 8% tax on the value of rental of living quarters in any hotel, rooming house or  
32 tourist or trailer camp and 5% of the 7% tax imposed on tangible personal property and  
33 other taxable services pursuant to Title 36, section 1811, for the last 6 months of the prior  
34 fiscal year after the reduction for the transfer to the Local Government Fund, except that,  
35 from October 1, 2013 to June 30, 2015, the amount is equivalent to 5% of the 8% tax  
36 imposed on tangible personal property and taxable services pursuant to Title 36, section  
37 1811. The tax amount must be based on actual sales for that fiscal year and may not  
38 consider any accruals that may be required by law. The amount transferred from General  
39 Fund sales and use tax revenues does not affect the calculation for the transfer to the  
40 Local Government Fund.

