

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

Amend the amendment in Part U by striking out all of section 1 and inserting the following:

‘Sec. U-1. 36 MRSA §6652, sub-§1, as repealed and replaced by PL 2007, c. 438, §114, is amended to read:

1. Generally. A person against whom taxes have been assessed pursuant to Part 2, except for chapters 111 and 112, with respect to eligible property and who has paid those taxes is entitled to reimbursement of a portion of those taxes from the State as provided in this chapter. The reimbursement under this chapter is the percentage of the taxes assessed and paid with respect to eligible property specified in subsection 4, except that for claims filed for the application period that begins on August 1, 2006 the reimbursement is limited to 90% of the taxes assessed and paid with respect to eligible property and for application periods that begin on August 1, 2009 and August 1, 2010, the reimbursement is limited to 88% of the taxes paid with respect to eligible property. For purposes of this chapter, a tax applied as a credit against a tax assessed pursuant to chapter 111 or 112 is a tax assessed pursuant to chapter 111 or 112. A taxpayer that included eligible property in its investment credit base under section 5219-E or 5219-M and claimed the credit provided in one or more of those sections on its income tax return may not be reimbursed under this chapter for taxes assessed on that same eligible property in a year in which one or more of those credits are taken. A successor in interest of a person against whom taxes have been assessed with respect to eligible property is entitled to reimbursement pursuant to this section, whether the tax was paid by the person assessed or by the successor, as long as a transfer of the property in question to the successor has occurred and the successor is the owner of the property as of August 1st of the year in which a claim for reimbursement may be filed pursuant to section 6654. For purposes of this subsection, "successor in interest" includes the initial successor and any subsequent successor. When an eligible successor in interest exists, the successor is the only person to whom reimbursement under this chapter may be made with respect to the transferred property. For an item of eligible property that is first subject to assessment under Part 2 on or after April 1, 2008, and for any item of eligible property for which reimbursement is paid under subsection 4, paragraph B, the reimbursement otherwise payable under this section with respect to that item of eligible property must be reduced by an amount equal to the amount, if any, by which the reimbursement otherwise payable under this section plus payments received by the taxpayer under a tax increment financing arrangement pursuant to Title 30-A, chapter 206, subchapter 1 with respect to that item of eligible property exceeds 100% of the property taxes assessed with respect to that item of eligible property.’

Amend the amendment in Part LL in section 8 in the 3rd line (page 703, line 39 in amendment) by striking out the following: "\$695,619" and inserting the following: '\$651,129' and in the 5th line (page 703, line 41 in amendment) by striking out the following: "\$999,068" and inserting the following: '\$954,504'

Amend the amendment in Part LL in section 9 in the 3rd line (page 704, line 5 in amendment) by striking out the following: "\$65,929" and inserting the following: '\$61,395' and in the 6th line (page 704, line 8 in amendment) by striking out the following: "\$87,849" and inserting the following: '\$83,315'

Amend the amendment in Part LL in section 10 in the 3rd line (page 704, line 15 in amendment) by striking out the following: "\$56,208" and inserting the following: '\$55,376' and in the 6th line (page 704, line 18 in amendment) by striking out the following: "\$81,045" and inserting the following: '\$80,213'

Amend the amendment in Part SSS by striking out all of section 4 (page 731, lines 35 to 42 in amendment) and inserting the following:

'Sec. SSS-4. Merit increases and longevity payments. Notwithstanding the Maine Revised Statutes, Title 26, section 979-D or section 1285 or any other provision of law, any merit increase or, for any employee newly eligible or eligible for an increase in longevity payment between July 1, 2009 and June 30, 2011, any longevity payment, regardless of funding source, scheduled to be awarded or paid between July 1, 2009 and June 30, 2011 to any person employed by the departments and agencies within the executive and judicial branches, including the constitutional officers and the Department of Audit, may not be awarded, authorized or implemented. These savings may be replaced by other Personal Services savings by agreement of the State and the bargaining agents representing state employees. '

Amend the amendment in Part SSS by striking out all of section 8 and inserting the following:

'Sec. SSS-8. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Executive Branch Departments and Independent Agencies - Statewide 0017

Initiative: Deappropriates funds from savings related to 10 state shutdown days in fiscal year 2009-10 and again in fiscal year 2010-11.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$6,410,000)	(\$6,410,000)
GENERAL FUND TOTAL	(\$6,410,000)	(\$6,410,000)

Executive Branch Departments and Independent Agencies - Statewide 0017

Initiative: Deappropriates funds from eliminating merit pay increases during the 2010-2011 biennium.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$3,151,944)	(\$6,303,888)
GENERAL FUND TOTAL	(\$3,151,944)	(\$6,303,888)

Executive Branch Departments and Independent Agencies - Statewide 0017

Initiative: Deappropriates funds from eliminating increases in longevity payments during the 2010-2011 biennium.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$60,104)	(\$147,215)
GENERAL FUND TOTAL	(\$60,104)	(\$147,215)

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS GENERAL FUND	2009-10	2010-11
	(\$9,622,048)	(\$12,861,103)
DEPARTMENT TOTAL - ALL FUNDS	(\$9,622,048)	(\$12,861,103)

Amend the amendment by inserting after Part ZZZZ the following:

PART AAAAA

Sec. AAAAA-1. Appropriations and allocations. The following appropriations and allocations are made.

JUDICIAL DEPARTMENT

Courts - Supreme, Superior and District 0063

Initiative: Offsets deappropriations in Part A resulting from changes to the suspension of longevity payments.

GENERAL FUND	2009-10	2010-11
Personal Services	\$316,921	\$304,520
GENERAL FUND TOTAL	\$316,921	\$304,520

Amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment changes the suspension of longevity payments to apply only to those employees who are newly eligible for longevity payments or eligible for an increase in longevity pay for the period from July 1, 2009 to June 30, 2011. The amendment also offsets the cost of the change by reducing the reimbursement limit under the BETR Program to 88% in 2009 and 2010.

FISCAL NOTE REQUIRED
(See attached)