

**Supplemental bills for
LPC Subcommittee
on
Appropriations, Taxation &
Education**

(Bills in order of Committee of jurisdiction)



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 412

H.P. 321

House of Representatives, January 29, 2019

**An Act To Restore System Administration Allocations in Maine
School Administrative Units to the Level Prescribed for Fiscal Year
2017-18**

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative McCREA of Fort Fairfield.
Cosponsored by Senator MILLETT of Cumberland and
Representatives: FARNSWORTH of Portland, HICKMAN of Winthrop, INGWERSEN of
Arundel, KORNFIELD of Bangor, MARTIN of Eagle Lake, O'NEIL of Saco, PIERCE of
Falmouth, STANLEY of Medway.

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

2 **Sec. 1. 20-A MRSA §15680-A, sub-§§2, 3 and 4,** as enacted by PL 2017, c.
3 284, Pt. C, §35, are repealed.

4 **Sec. 2. 20-A MRSA §15680-A, sub-§5** is enacted to read:

5 **5. Beginning in fiscal year 2019-20. Beginning in fiscal year 2019-20, the system**
6 **administration allocation is \$135 per pupil.**

7 **SUMMARY**

8 Current law requires that, beginning in fiscal year 2018-19, a portion of the system
9 administration allocation must be allocated to school administrative units that have
10 established regionalized administrative services. This bill instead establishes the system
11 administration allocation at \$135 per pupil, the same as it was for fiscal year 2017-18,
12 and repeals provisions that increase for future fiscal years the per-pupil amount and
13 restrict allocation of portions of the funds to school administrative units that have
14 established regionalized administrative services.



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 459

S.P. 137

In Senate, January 29, 2019

An Act To Include Homelessness in the Laws Governing Emergency General Assistance

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CHIPMAN of Cumberland.
Cosponsored by Senators: GRATWICK of Penobscot, MOORE of Washington,
Representatives: CRAVEN of Lewiston, HYMANSON of York, MADIGAN of Waterville,
MEYER of Eliot, PERRY of Calais, TALBOT ROSS of Portland.

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

2 **Sec. 1. 22 MRSA §4301, sub-§5-A** is enacted to read:

3 **5-A. Homelessness.** "Homelessness" means a situation in which a person or
4 household has no permanent or safe housing including when a person or household is:

5 A. Living in a place that is not fit for human habitation;

6 B. Living in an emergency shelter;

7 C. Living in temporary housing, including but not limited to a hotel, motel,
8 campground, unlicensed campsite or rehabilitation facility;

9 D. Exiting a hospital or institution licensed under chapter 405 or a correctional
10 facility where the person or household resided for up to 90 days if the person or
11 household was in an emergency shelter or a place not fit for human habitation before
12 entering the hospital, institution or correctional facility;

13 E. Losing the person's or household's primary nighttime residence and lacking the
14 resources or support networks to remain in that residence; or

15 F. Fleeing or attempting to flee violence and has no other residence.

16 **Sec. 2. 22 MRSA §4308, sub-§2,** as amended by PL 1999, c. 45, §1, is further
17 amended to read:

18 **2. Emergencies.** A person, including a person experiencing or facing homelessness,
19 who does not have sufficient resources to provide one or more basic necessities in an
20 emergency is eligible for emergency general assistance, even when that applicant has
21 been found ineligible for nonemergency general assistance, except as provided in this
22 subsection.

23 A. A person who is currently disqualified from general assistance for a violation of
24 section 4315, 4316-A or 4317 is ineligible for emergency assistance under this
25 subsection.

26 B. Municipalities may by standards adopted in municipal ordinances restrict the
27 disbursement of emergency assistance to alleviate emergency situations to the extent
28 that those situations could not have been averted by the applicant's use of income and
29 resources for basic necessities. The person requesting assistance shall provide
30 evidence of income and resources for the applicable time period.

31 A municipality may provide emergency assistance when the municipality determines that
32 an emergency is imminent and that failure to provide assistance may result in undue
33 hardship and unnecessary costs.

34 **SUMMARY**

35 This bill defines "homelessness" for the purposes of the laws governing general
36 assistance and specifies that a person experiencing or facing homelessness who meets the

1 conditions for receiving emergency assistance in current law is eligible for emergency
2 general assistance.



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 393

H.P. 302

House of Representatives, January 29, 2019

An Act To Change the Eligibility Requirements for the Property Tax Fairness Credit

Reference to the Committee on Taxation suggested and ordered printed.

Robert B. Hunt
ROBERT B. HUNT
Clerk

Presented by Representative COOPER of Yarmouth.
Cosponsored by Senator DESCHAMBAULT of York and
Representative: BEEBE-CENTER of Rockland, Senator: CARPENTER of Aroostook.

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

2 **Sec. 1. 36 MRSA §5219-KK, sub-§2-A**, as enacted by PL 2017, c. 474, Pt. B,
3 §16, is amended to read:

4 **2-A. Credit in 2018 and 2019.** For tax years beginning on or after January 1, 2018
5 and before January 1, 2020, a resident individual is allowed a credit against the taxes
6 imposed under this Part equal to the amount by which the benefit base for the resident
7 individual exceeds 6% of the resident individual's income. The credit may not exceed
8 \$750 for resident individuals under 65 years of age as of the last day of the taxable year
9 or \$1,200 for resident individuals 65 years of age and older as of the last day of the
10 taxable year. In the case of married individuals filing a joint return, only one spouse is
11 required to be 65 years of age or older to qualify for the \$1,200 credit limitation. Married
12 taxpayers filing separate returns do not qualify for the credit under this section.

13 **Sec. 2. 36 MRSA §5219-KK, sub-§2-B** is enacted to read:

14 **2-B. Credit in 2020 and after.** For tax years beginning on or after January 1, 2020,
15 a resident individual is allowed a credit against the taxes imposed under this Part equal to
16 the amount by which the benefit base for the resident individual exceeds 5% of the
17 resident individual's income. The credit may not exceed \$750 for resident individuals
18 under 65 years of age as of the last day of the taxable year or \$1,200 for resident
19 individuals 65 years of age and older as of the last day of the taxable year. In the case of
20 married individuals filing a joint return, only one spouse is required to be 65 years of age
21 or older to qualify for the \$1,200 credit limitation. Married taxpayers filing separate
22 returns do not qualify for the credit under this section.

23

SUMMARY

24 This bill changes the formula for calculation of the property tax fairness credit to
25 expand the credit to residents whose property taxes or rent constituting property taxes on
26 homestead property exceeds 5%, rather than 6% in current law, of the residents' income
27 for tax years beginning on or after January 1, 2020.



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 444

S.P. 122

In Senate, January 29, 2019

An Act To Fully Restore Revenue Sharing

(EMERGENCY)

Reference to the Committee on Taxation suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BELLOWS of Kennebec.

Cosponsored by Senators: MIRAMANT of Knox, MOORE of Washington, Representatives: BEEBE-CENTER of Rockland, MADIGAN of Waterville, Representative WARREN of Hallowell and

Senators: CARSON of Cumberland, President JACKSON of Aroostook, SANBORN, H. of Cumberland, Representatives: ACKLEY of Monmouth, DOORE of Augusta, FECTEAU of Biddeford, MAXMIN of Nobleboro.

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,** state-municipal revenue sharing was decreased for fiscal years 2015-16,
4 2016-17, 2017-18 and 2018-19 from 5% to 2%; and

5 **Whereas,** the decrease in funds shared with municipalities has had a drastic effect
6 on municipalities and their ability to provide services to their residents; and

7 **Whereas,** although the percentage of revenue sharing is scheduled to return to 5%
8 beginning July 1, 2019, it is necessary that these funds be restored as soon as possible to
9 avoid further damage to municipalities; and

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

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

15 **Sec. 1. 30-A MRSA §5681, sub-§5,** as amended by PL 2015, c. 267, Pt. K, §1, is
16 further amended to read:

17 **5. Transfers to funds.** No later than the 10th day of each month, the State
18 Controller shall transfer to the Local Government Fund 5% of the receipts during the
19 previous month from the taxes imposed under Title 36, Parts 3 and 8, and Title 36,
20 section 2552, subsection 1, paragraphs A to F and L, and credited to the General Fund
21 without any reduction, except that for fiscal years 2015-16, 2016-17, and 2017-18 and the
22 first 9 months of fiscal year 2018-19 the amount transferred is 2% of the receipts during
23 the previous month from the taxes imposed under Title 36, Parts 3 and 8, and Title 36,
24 section 2552, subsection 1, paragraphs A to F and L, and credited to the General Fund
25 without any reduction, and except that the postage, state cost allocation program and
26 programming costs of administering state-municipal revenue sharing may be paid by the
27 Local Government Fund. A percentage share of the amounts transferred to the Local
28 Government Fund each month must be transferred to the Disproportionate Tax Burden
29 Fund and distributed pursuant to subsection 4-B as follows:

30 C. For months beginning on or after July 1, 2009 but before July 1, 2010, 15%;

31 D. For months beginning on or after July 1, 2010 but before July 1, 2011, 16%;

32 E. For months beginning on or after July 1, 2011 but before July 1, 2012, 17%;

33 F. For months beginning on or after July 1, 2012 but before July 1, 2013, 18%;

34 G. For months beginning on or after July 1, 2013 but before July 1, 2014, 19%; and

35 H. For months beginning on or after July 1, 2014, 20%.

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

1
2
3

SUMMARY

This bill restores state-municipal revenue sharing to 5% from 2% 3 months earlier than currently provided in law.



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 451

S.P. 129

In Senate, January 29, 2019

An Act To Repeal the Recently Enacted Changes to the Law Governing Tax Lien Foreclosure

Reference to the Committee on Taxation suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator MOORE of Washington.
Cosponsored by Representative TUELL of East Machias and
Senator: ROSEN of Hancock, Representatives: CRAVEN of Lewiston, DENNO of
Cumberland, GRIFFIN of Levant, HIGGINS of Dover-Foxcroft.

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

2 **Sec. 1. 36 MRSA §683, sub-§1**, as amended by PL 2017, c. 478, §1, is further
3 amended to read:

4 **1. Exemption amount.** Except for assessments for special benefits, the just value of
5 \$10,000 of the homestead of a permanent resident of this State who has owned a
6 homestead in this State for the preceding 12 months is exempt from taxation.
7 ~~Notwithstanding this subsection, a permanent resident of this State who loses ownership~~
8 ~~of a homestead in this State due to a tax lien foreclosure and subsequently regains~~
9 ~~ownership of the homestead from the municipality that foreclosed on the tax lien is~~
10 ~~deemed to have continuously owned the homestead and may not be determined ineligible~~
11 ~~for the exemption provided in this section due to the ownership of the homestead by the~~
12 ~~municipality.~~ In determining the local assessed value of the exemption, the assessor shall
13 multiply the amount of the exemption by the ratio of current just value upon which the
14 assessment is based as furnished in the assessor's annual return pursuant to section 383.
15 If the title to the homestead is held by the applicant jointly or in common with others, the
16 exemption may not exceed \$10,000 of the just value of the homestead, but may be
17 apportioned among the owners who reside on the property to the extent of their respective
18 interests. A municipality responsible for administering the homestead exemption has no
19 obligation to create separate accounts for each partial interest in a homestead owned
20 jointly or in common.

21 **Sec. 2. 36 MRSA §942, 3rd ¶**, as enacted by PL 2017, c. 478, §2, is repealed.

22 **Sec. 3. 36 MRSA §943-C**, as enacted by PL 2017, c. 478, §3, is repealed.

23 **Sec. 4. 36 MRSA §1281**, as amended by PL 2017, c. 478, §4, is further amended
24 to read:

25 **§1281. Payment of taxes; delinquent taxes; publication; certificate filed in registry**

26 Taxes on real estate mentioned in section 1602, including supplementary taxes
27 assessed under section 1331, are delinquent on the 15th day of January next following the
28 date of assessment. Annually, on or before February 1st, the State Tax Assessor shall
29 send by mail to the last known address of each owner of such real estate upon which
30 taxes remain unpaid a notice in writing, containing a description of the real estate
31 assessed and the amount of unpaid taxes and interest, and alleging that a lien is claimed
32 on that real estate for payment of those taxes, interests and costs, with a demand that
33 payment be made by the next February 21st. ~~For property that constitutes a homestead~~
34 ~~for which a property tax exemption is claimed under chapter 105, subchapter 4-B, the~~
35 ~~State Tax Assessor shall include in the written notice written notice to the owner named~~
36 ~~on the tax lien mortgage that that owner may be eligible to file an application for tax~~
37 ~~abatement under section 841, subsection 2, indicating that the State Tax Assessor, upon~~
38 ~~request, will assist the owner in requesting an abatement and provide information~~
39 ~~regarding the procedures for making such a request. The notice must also indicate that~~
40 ~~the owner may seek assistance from the Department of Professional and Financial~~
41 ~~Regulation, Bureau of Consumer Credit Protection regarding options for finding an~~

1 ~~advisor who can help the owner work with the State Tax Assessor to avoid tax lien~~
2 ~~foreclosure and provide information regarding ways to contact the bureau. The~~
3 ~~Department of Professional and Financial Regulation, Bureau of Consumer Credit~~
4 ~~Protection, by July 15th annually, shall provide to a statewide organization representing~~
5 ~~municipalities and to the State Tax Assessor information regarding assistance in avoiding~~
6 ~~tax lien foreclosure to assist municipalities and the State Tax Assessor in providing the~~
7 ~~information required in the notice. If the owners of any such real estate are unknown,~~
8 ~~instead of sending the notices by mail, the assessor shall cause the information required in~~
9 ~~this section on that real estate to be advertised in the state paper and in a newspaper, if~~
10 ~~any, of general circulation in the county in which the real estate lies. Such a statement or~~
11 ~~advertisement is sufficient legal notice of delinquent taxes. If those taxes and interest to~~
12 ~~date of payment and costs are not paid by February 21st, the State Tax Assessor shall~~
13 ~~record by March 15th, in the registry of deeds of the county or registry district where the~~
14 ~~real estate lies, a certificate signed by the assessor, setting forth the name or names of the~~
15 ~~owners according to the last state valuation, or the valuation established in accordance~~
16 ~~with section 1331; the description of the real estate assessed as contained in the last state~~
17 ~~valuation, or the valuation established in accordance with section 1331; the amount of~~
18 ~~unpaid taxes and interest; the amount of costs; and a statement that demand for payment~~
19 ~~of those taxes has been made, and that those taxes, interest and costs remain unpaid. The~~
20 ~~costs charged by the register of deeds for the filing may not exceed the fees established~~
21 ~~by Title 33, section 751.~~

22

SUMMARY

23 This bill repeals or removes the changes to the foreclosure law that were made by
24 Public Law 2017, chapter 478. Under that law, a municipality is restricted in how it may
25 sell a foreclosed property that was owned by a person who is at least 65 years of age,
26 occupied the property as a homestead and meets specified income and asset requirements.

27 The law also places specific notice requirements regarding the foreclosure process on
28 the State Tax Assessor and municipalities and provides for continuous eligibility under
29 the Maine resident homestead property tax exemption for a person who loses ownership
30 of a homestead to tax lien foreclosure and subsequently regains ownership of the
31 homestead; these provisions are also removed by this bill.



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 452

S.P. 130

In Senate, January 29, 2019

An Act To Change the Penalty When Land under the Maine Tree Growth Tax Law Is Transferred

Reference to the Committee on Taxation suggested and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant".

DAREK M. GRANT
Secretary of the Senate

Presented by Senator MOORE of Washington.
Cosponsored by Representative PERRY of Calais.

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

2 **Sec. 1. 36 MRSA §581-H** is enacted to read:

3 **§581-H. Transfer of land**

4 **1. Notification by owner.** An owner of land classified under this subchapter that
5 intends to transfer all or a portion of the land shall provide the following notifications.

6 A. The owner shall notify an intended purchaser that the land is subject to a
7 withdrawal penalty if the intended transferee fails to make the notification required
8 under subsection 2 or the use of the land is changed by the transferee so that the land
9 no longer qualifies for classification under this subchapter.

10 B. The owner shall notify the assessor of the intent to transfer the land.

11 **2. Notification by intended transferee.** An intended transferee of land subject to
12 classification under this subchapter who intends to maintain the classification of the land
13 under this subchapter shall notify the assessor of that intent prior to completion of the
14 sale.

15 **3. Assessment of penalty.** If land or a portion of land subject to the notification
16 requirements under subsection 1 is transferred, unless the intended transferee of the land
17 notifies the assessor under subsection 2 that the transferee intends to maintain eligibility
18 of the land for classification under this subchapter, the land or portion of the land must be
19 considered withdrawn by the transferor from classification under section 581 prior to
20 completion of the transfer and the penalty assessed under section 581 against the
21 transferor of the land.

22 **SUMMARY**

23 This bill provides that if land classified under the Maine Tree Growth Tax Law is to
24 be transferred, the owner must notify the assessor of the intended transfer and the
25 intended transferee of a potential withdrawal penalty. If land is transferred, a withdrawal
26 penalty must be assessed against the transferor unless the intended transferee notifies the
27 assessor of intent to maintain eligibility of the land for tree growth classification.



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 529

H.P. 386

House of Representatives, January 31, 2019

An Act To Provide Property Tax Deferral for Senior Citizens and People with Physical Disabilities

Reference to the Committee on Taxation suggested and ordered printed.

Robert B. Hunt
ROBERT B. HUNT
Clerk

Presented by Representative COOPER of Yarmouth.
Cosponsored by Senator SANBORN, L. of Cumberland and
Representative: MAXMIN of Nobleboro.

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

2 **Sec. 1. 36 MRSA §5403, sub-§§7 and 8**, as enacted by PL 2017, c. 474, Pt. B,
3 §24, are amended to read:

4 **7. Personal exemptions.** Beginning in 2018 and each year thereafter, by the dollar
5 amounts contained in section 5126-A, subsection 1, except that for the purposes of this
6 subsection, notwithstanding section 5402, subsection 1-B, the "cost-of-living adjustment"
7 is the Chained Consumer Price Index for the 12-month period ending June 30th of the
8 preceding calendar year divided by the Chained Consumer Price Index for the 12-month
9 period ending June 30, 2017; ~~and~~

10 **8. Personal exemption phase-out.** Beginning in 2018 and each year thereafter, by
11 the dollar amount of the applicable amounts specified in section 5126-A, subsection 2,
12 paragraphs A, B and C, except that for the purposes of this subsection, notwithstanding
13 section 5402, subsection 1-B, the "cost-of-living adjustment" is the Chained Consumer
14 Price Index for the 12-month period ending June 30th of the preceding calendar year
15 divided by the Chained Consumer Price Index for the 12-month period ending June 30,
16 2017; ~~and~~

17 **Sec. 2. 36 MRSA §5403, sub-§9** is enacted to read:

18 **9. Property tax deferral limit.** Beginning in 2020 and each year thereafter, by the
19 dollar amount of the income limitation amount in section 6251, subsection 1, paragraph
20 B.

21 **Sec. 3. 36 MRSA §6251, sub-§1**, as repealed and replaced by PL 1993, c. 395,
22 §31, is amended to read:

23 **1. Filing claim.** Subject to section 6252, an individual or 2 or more individuals
24 jointly may elect to defer the property taxes on their homestead by filing a claim for
25 deferral with the municipal assessor after January 1st but no later than April 1st of the
26 first year in which deferral is claimed if:

27 A. The individual or ~~each~~ at least one individual, in the case of 2 or more individuals
28 filing a claim jointly, is 65 years of age or older or retired from gainful employment
29 by reason of physical disability on April 1st of the year in which the claim is filed;
30 and

31 B. The individual or, in the case of 2 or more individuals filing a claim jointly, all the
32 individuals together have ~~household~~ income, as defined in section ~~6201~~ 5219-KK,
33 subsection ~~7~~ 1, paragraph D, of less than ~~\$32,000~~ \$40,000 for the calendar year
34 immediately preceding the calendar year in which the claim is filed.

35 The municipal assessor shall forward each claim filed under this subsection to the bureau
36 within 30 days of receipt and the bureau shall determine if the property is eligible for
37 deferral.

1 ~~Claims from new applicants may not be filed pursuant to this chapter prior to January 1,~~
2 ~~1994. For purposes of this section, "new applicants" means any person or persons that~~
3 ~~have not filed claims prior to April 1, 1991.~~

4 **Sec. 4. 36 MRSA §6251, sub-§2**, as enacted by PL 1989, c. 534, Pt. C, §1, is
5 amended to read:

6 **2. Property tax deferral.** ~~When the~~ If a taxpayer elects is determined to be eligible
7 to defer property taxes for any year by filing a claim for deferral under subsection 1, it
8 shall have ~~has~~ the effect of:

9 A. Deferring the payment of the property taxes levied on the homestead for the
10 municipal fiscal year beginning on or after April 1st of that year;

11 B. Continuing deferral of the payment by the taxpayer of any property taxes deferred
12 under this chapter for previous years that have not become delinquent under section
13 6260; and

14 C. Continuing the deferral of the payment by the taxpayer of any future property
15 taxes for as long as the provisions of section 6252 are met.

16 **Sec. 5. 36 MRSA §6252, sub-§4** is enacted to read:

17 **4. Maximum deferral.** The total amount of taxes deferred under this chapter may
18 not exceed 80% of the taxpayer's equity in the property.

19 **Sec. 6. 36 MRSA §6253**, as enacted by PL 1989, c. 534, Pt. C, §1, is amended to
20 read:

21 **§6253. Claim forms; contents**

22 **1. Administration.** A taxpayer's claim for deferral under this chapter ~~shall~~ must be
23 in writing on a form supplied by the bureau and ~~shall~~ must:

24 A. Describe the homestead;

25 B. ~~Recite facts~~ Provide information establishing the eligibility for the deferral under
26 the provisions of this chapter, including ~~facts that establish~~ information that
27 establishes that the ~~household~~ income, as defined in section ~~6201~~ 5219-KK,
28 subsection ~~7~~ 1, paragraph ~~D~~, of the individual, or; of all the individuals together in the
29 case of 2 or more individuals claiming the deferral jointly, was less than ~~\$32,000~~
30 \$40,000 for the calendar year immediately preceding the calendar year in which the
31 claim is filed; and

32 C. ~~Have attached~~ Contain any ~~documentary proof information~~ required by the bureau
33 to show that the requirements of section 6252 have been met.

34 **2. Statement verification.** ~~There shall be annexed to the~~ The claim must contain a
35 statement verified by a written declaration of the applicant making the claim to the effect
36 that the statements contained in the claim are true.

1 **Sec. 7. 36 MRSA §6261, sub-§1, ¶A**, as enacted by PL 1989, c. 534, Pt. C, §1, is
2 amended to read:

3 A. The spouse of the taxpayer is or will be ~~65~~ 60 years of age or older not later than
4 6 months from the day the circumstance listed in section 6259, subsections 1 to 3
5 occurs; and

6 **Sec. 8. 36 MRSA §6261, sub-§2**, as enacted by PL 1989, c. 534, Pt. C, §1, is
7 amended to read:

8 **2. Continuation of deferral by spouse.** A spouse who does not meet the age
9 requirements of subsection 1, paragraph A, but is otherwise qualified to continue the
10 property in its tax-deferred status under subsection 1 may continue the deferral of
11 property taxes deferred for previous years by filing a claim within the time and in the
12 manner provided under section 6251. If a spouse eligible for and continuing the deferral
13 of taxes previously deferred under this subsection becomes ~~65~~ 60 years of age prior to
14 April 1st of any year, the spouse may elect to continue the deferral of previous years'
15 taxes deferred under this subsection and may elect to defer the current assessment year's
16 taxes on the homestead by filing a claim within the time and in the manner provided
17 under section 6251. Thereafter, payment of the taxes levied on the homestead and
18 deferred under this subsection and payment of taxes levied on the homestead in the
19 current assessment year and in future years may be deferred in the manner provided in
20 and subject to this chapter.

21 **Sec. 9. 36 MRSA §6267**, as enacted by PL 1993, c. 707, Pt. G, §10, is repealed.

22 **Sec. 10. 36 MRSA §6268** is enacted to read:

23 **§6268. Property Tax Deferral Revolving Account; sources; uses**

24 **1. Revolving account.** This section establishes in the State Treasury the Property
25 Tax Deferral Revolving Account, referred to in this section as "the deferral account," to
26 be used by the bureau for the purpose of making payments to municipal tax collectors of
27 property taxes deferred for tax years beginning on or after April 1, 2020, as required by
28 section 6257.

29 **2. Finance Authority of Maine; loan.** The Finance Authority of Maine shall
30 establish a loan program to ensure the availability of sufficient funds to cover the cost of
31 reimbursement to municipalities under section 6257, subsection 1. The Treasurer of State
32 shall notify the Finance Authority of Maine when the Treasurer of State anticipates that
33 funds in the deferral account are not sufficient to cover anticipated municipal
34 reimbursement claims. The Finance Authority of Maine shall transfer sufficient funds
35 from the loan program to the deferral account to ensure that the funds in the deferral
36 account are sufficient to cover anticipated claims.

37 **3. Advancement of funds.** If there are insufficient funds in the deferral account
38 necessary to make payments under subsection 1 following transfers by the Finance
39 Authority of Maine under subsection 2, the Treasurer of State shall advance funds to the
40 bureau from time to time as necessary as an appropriation from the General Fund.

