

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND FOURTEEN

—
H.P. 1232 - L.D. 1722

An Act To Exempt from Sales and Use Tax Sales of Publications To Be Distributed without Charge and Printed Materials Included in Publications

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 repeal of the sales and use tax exemption for sales of publications applies to sales occurring on or after October 1, 2013; and

Whereas, exempting from sales and use tax sales of printed paper materials subsequently distributed as free publications serves the public interest; and

Whereas, exempting from sales and use tax sales of printed paper materials included as inserts to publications, such as advertising or promotional materials, serves the public interest; and

Whereas, legislative action is immediately necessary to ensure efficient administration of the sales and use tax; 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. 36 MRSA §1760, sub-§14-A is enacted to read:

14-A. Free publications and components of publications. Sales of publications and printed materials included in publications as follows:

A. Any publication that is purchased for distribution without charge as a free publication; and

B. Printed paper materials, including advertising flyers and promotional materials, purchased for inclusion in a publication.

For purposes of this subsection, "publication" means printed paper material, including without limitation newspapers, magazines and trade journals and employee, client and organization newsletters, issued at average intervals not exceeding 3 months that manifests a continuity of identity from issue to issue by a front page masthead bearing the name, date, volume and issue number of the publication and by a continuity of style, format, themes and subject matter. For purposes of this subsection, "publication" does not include printed paper materials consisting primarily of advertisements or the promotion of a single seller's products or services.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Revenue Services, Bureau of 0002

Initiative: Provides funding to contract with the Kennebec County Sheriff's office for 2 Deputy Sheriff positions. These positions will be used to expand field activities to address debts other than sales tax debt handled by current deputies.

GENERAL FUND	2013-14	2014-15
All Other	\$0	\$200,000
GENERAL FUND TOTAL	<hr/>	<hr/>
	\$0	\$200,000

Revenue Services, Bureau of 0002

Initiative: Provides funding for a contractor-provided audit selection system that makes data warehouse information available in a fashion conducive to audit selection, builds new data elements into the audit selection process and creates a predictive audit selection function.

OTHER SPECIAL REVENUE FUNDS	2013-14	2014-15
All Other	\$0	\$450,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<hr/>	<hr/>
	\$0	\$450,000

Revenue Services, Bureau of 0002

Initiative: Provides funding for one Revenue Agent position to assist in the audit of estate and fiduciary tax returns and to review related issues associated with decedents and beneficiaries.

GENERAL FUND	2013-14	2014-15
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$77,637
All Other	\$0	\$7,269
GENERAL FUND TOTAL	\$0	\$84,906

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS	2013-14	2014-15
GENERAL FUND	\$0	\$284,906
OTHER SPECIAL REVENUE FUNDS	\$0	\$450,000
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$734,906

Sec. 3. Retroactivity. This Act applies to sales occurring on and after October 1, 2013.

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