



MAINE TAX ALERT

A Publication of Maine Revenue Services for Tax Professionals

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Public Communications Tel: (207) 626-8478

E-File Handbook

The Maine E-file Handbook can be found on the MRS web site at www.maine.gov/revenue/developers/. In addition to providing tax information and a complete description of the Maine E-file process, the handbook includes a list of Maine forms and attachments that are accepted electronically via Maine E-file.

Maine Revenue Services Rulemaking Activity

Adoption of Amended Rule 104, "Electronic Filing of Maine Tax Returns." This rule, which has been in place since 2008, describes the requirements for mandatory electronic filing of certain Maine tax returns. The amended Rule modifies the electronic filing threshold for income tax return preparers beginning in 2011 from 50 or fewer returns to 10 or fewer returns in order to coordinate with the newly enacted federal requirements for electronic filing by tax return preparers for that year.

Proposed amended Rule 104 can be found on the MRS web site at www.maine.gov/revenue (select Laws & Rules).

Rule 202, "Tree Growth Tax Law Valuations - 2010." Rule 202, available at www.maine.gov/revenue/rules, which was last amended for 2009, fulfills the requirement that each year the State Tax Assessor determine 100% valuations per acre for each forest type by economic region for parcels under the Tree Growth Tax Law. These changes to Rule 202 are effective February 24, 2010.

Maine Revenue Services Criminal Tax Cases

Criminal Investigations Unit (CIU):

- ◆ **Court Proceedings:** CIU was involved with sixteen court matters during January: 2 indictments, 4 probation violation matters, 1 arraignment, 1 deferred disposition, 1 Law Court Appeal (which was denied), 4 pre-trial motion hearings, 1 Motion to Enforce restitution hearing and 2 completed prosecutions.
- An attorney from York Beach, Maine was sentenced by Justice Arthur Brennan in York County Superior Court to 30 days in jail for failing to file his Maine income tax returns

for 2004, 2005 and 2006; he will report to jail on February 19th. The defendant also pled no contest to a charge that he had commingled \$3,625 entrusted to him in a real estate closing with his personal funds and used the money for personal purposes. He has also been placed on a deferred disposition following his plea of no contest to the charge of misuse of entrusted property. Under the terms of the deferred disposition, he will pay restitution of \$611 and file his outstanding state tax returns by April 15, 2010. If the defendant complies with the terms, the State will permit him to withdraw his no contest guilty plea and will dismiss the charge of misuse of entrusted property. Prior to the indictment, he had already repaid the \$3,625. He will also be required to pay restitution for unpaid taxes and interest up to \$3,315. The charges all arose from a time when the defendant was practicing as an attorney. The attorney's law license is currently under suspension.

- A commercial fisherman from Bernard, Maine pled guilty in Ellsworth Superior Court to five counts of Class C Failure to File Maine Income Tax Returns, with respect to the tax years 2003 through 2007. Since the defendant was previously prosecuted for similar offenses in 2003 (Failure to File Maine Income Tax Returns, 1999 through 2001), his second conviction elevated the charges to felonies. The defendant was sentenced to serve two years in jail, with all but six months suspended, two years of probation and restitution in the amount of \$15,000.
- A defendant from Lyman, Maine, who operated a Southern Maine construction company with her husband, was indicted in York County Superior Court for one count of Class B Theft by Misapplication, two counts of Class C Theft by Misapplication, and three counts of Class D Failure to Account For and Pay Over Trust Fund Taxes, in respect to Sales and Withholding tax for the years 2006-2007.
- One defendant from West Wareham, MA, formerly of Portland, Maine, was indicted in Cumberland County Superior Court for Theft by Misapplication and Failure to Properly Account For and Pay Over Trust Fund taxes for the years 2004-2007.

<u>Department</u>	<u>Telephone Numbers</u>	<u>FAX Numbers</u>	<u>E-mail Addresses</u>
Taxpayer Service Center	(207) 287-2076	(207) 287-5855	
Appellate	(207) 624-9854	(207) 287-3618	
Central Registration	(207) 621-5129	(207) 287-3733	division.uctax@maine.gov
Collections & Compliance	(207) 624-9595	(207) 287-6627	compliance.tax@maine.gov
Corporate Tax	(207) 624-9670	(207) 624-9694	corporate.tax@maine.gov
Economic Research	(207) 624-9789	(207) 287-3618	
E-file Help Desk (1040 ONLY)	(207) 624-9730	(207) 287-6628	efile.helpdesk@maine.gov
Electronic Funds Transfer	(207) 287-8276	(207) 287-6975	efunds.transfer@maine.gov
Estate Tax	(207) 626-8480	(207) 624-9694	estatetax@maine.gov
Fuel Tax	(207) 624-9609	(207) 287-6628	fuel.tax@maine.gov
Forms Request Line	(207) 624-7894		
Income Tax Assistance	(207) 626-8475	(207) 624-9694	income.tax@maine.gov
Insurance Premium Tax	(207) 624-9753	(207) 624-7729	
NexTalk (TTY Service)	(888) 577-6690		
Payment Plan/Income Tax	(207) 621-4300	(207) 621-4328	compliance.tax@maine.gov
Payment Plan/Other	(207) 624-9595	(207) 287-6627	compliance.tax@maine.gov
Practitioners' Hotline	(207) 626-8458	(207) 624-9694	
Property Tax	(207) 287-2013	(207) 287-6396	prop.tax@maine.gov
Public Communications	(207) 626-8478	(207) 624-9694	
Sales Tax	(207) 624-9693	(207) 287-6628	sales.tax@maine.gov
Tax Clearance Letters	(207) 624-9628	(207) 287-6627	
Taxpayer Advocate	(207) 624-9649	(207) 287-3618	taxpayer.advocate@maine.gov
Withholding Tax	(207) 626-8475	(207) 624-9694	withholding.tax@maine.gov
Tax Violations Hot Line	(207) 624-9600		

This publication is designed to keep taxpayers, tax practitioners and the general public informed of developments, problems, questions and matters of general interest concerning Maine tax law, policy and procedure. The articles in this newsletter are not designed to address complex issues in detail, and they are not a substitute for Maine tax laws and/or regulations.

STATE OF MAINE

John Elias Baldacci, Governor

Ryan Low, Commissioner
Administrative and Financial Services

Jerome D. Gerard, Acting Executive
Director, Maine Revenue Services

Suggestions for the Tax Alert?

Please contact: Public Communications (207) 626-8478
Maine Revenue Services
24 State House Station
Augusta, Maine 04333-0024