

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1999

statute with alternative revenue sources that can provide the Highway Fund with a principal revenue source that would have greater flexibility to provide revenue and that keeps pace with normal inflationary pressures.

PART I

Sec. I-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purpose of this Part.

	1999-00	2000-01
INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF		
Enforcement Operations		
All Other	\$8,726	\$9,666
Provides for the appropriation of funds for snowmobile enforcement costs.		

PART J

Sec. J-1. 29-A MRSA §526 is enacted to read:

§526. Surcharge on certain registrations

All revenues collected from surcharges assessed under this section must be credited to the Highway Fund. Notwithstanding any other provision of this Title, on and after October 1, 1999, an additional \$2 fee payable at the time of registration is assessed on registration fees established under any of the following sections: 457; 501; 504 to 506; 508; 509; 511; 513; 515; 516; or 520.

PART K

Sec. K-1. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Part.

	2000-01
TRANSPORTATION, DEPARTMENT OF	
Highway and Bridge Improvement	
All Other	(\$2,500,000)
Deallocates funds previously allocated by Public Law 1999, chapter 152.	

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect July 1, 1999.

Effective July 1, 1999.

CHAPTER 474

H.P. 1032 - L.D. 1454

An Act to Promote Ethanol Production as Alternative Fuel

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

Sec. 1. 5 MRSA §12004-I, sub-§6-F is enacted to read:

6-F. <u>Economic Development</u>	<u>Agricultural Products Utilization Commission</u>	<u>Legislative per diem for appointed members plus expenses</u>	<u>10 MRSA §997-B</u>
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Sec. 2. 10 MRSA §§997-A and 997-B are enacted to read:

§997-A. Agriculturally Derived Fuel Fund

1. Purpose. The purpose of this section is to provide assistance to promote the production and use of agriculturally derived fuels. For the purposes of this section, "agriculturally derived fuel" means methanol or ethanol produced from organic matter that is available on a renewable basis, including agricultural crops and agricultural wastes and residues.

2. Establishment of fund. The Agriculturally Derived Fuel Fund, referred to in this section as the "fund," is established as a nonlapsing fund under the jurisdiction and control of the authority. The authority, in consultation with the Agricultural Products Utilization Commission, as established in Title 5, section 12004-I, subsection 6-F, may apply for and accept any appropriation, grant, gift or service made available from public or private sources consistent with the purpose of this section.

3. Application of fund. Money in the fund may be used for direct loans and direct subsidies to a business or cooperative for the design and construction of a facility to produce an agriculturally derived fuel. The authority, pursuant to Title 5, chapter 375, subchapter II-A, in consultation with the Agricultural Products Utilization Commission shall adopt rules for determining eligibility, feasibility, terms, conditions and security for direct loans, secured loans and

investments. Money in the fund not needed to meet the obligations of the authority as provided in this section may be invested in a manner permitted by law. For the purposes of this section, "business" means an individual, company, corporation or any other entity organized for a common business purpose and "cooperative" means an association organized as a cooperative in accordance with Title 13, chapter 85, subchapter II.

§997-B. Agricultural Products Utilization Commission

The Agricultural Products Utilization Commission, as established in Title 5, section 12004-I, subsection 6-F, referred to in this section as the "commission," shall advise the members of the authority on the adoption, amendment or repeal of rules, policies or administrative procedures for carrying out section 997-A. In addition, the commission shall advise the members of the authority on environmental impact considerations, including the impact that agriculturally derived fuels may have on ground water.

1. Membership. The commission consists of 11 members. Five members must be appointed by the Governor for terms of 2 years each, arranged so that 2 terms expire in odd-numbered years and 3 terms expire in even-numbered years; 3 of these must be actively engaged in farming in this State and 2 members appointed by the Governor must be actively engaged in business in this State. The Commissioner of Agriculture, Food and Rural Resources shall appoint one member for a term of 2 years, which expires in odd-numbered years. The member appointed by the Commissioner of Agriculture, Food and Rural Resources must be actively engaged in farming in this State. The Commissioner of Environmental Protection shall appoint one member for a term of 2 years, which expires in even-numbered years. Commission members may be reappointed to the commission. Terms of members run from the first day of July. The Director of Economic and Community Development, the President of the University of Maine, the Commissioner of Environmental Protection and the Commissioner of Agriculture, Food and Rural Resources, or their designees, are members of the commission. The commission shall elect one of its members as chair.

2. Commission meetings; staff. The commission shall meet as necessary and shall report annually to the joint standing committee of the Legislature having jurisdiction over natural resources matters and the joint standing committee of the Legislature having jurisdiction over agriculture, food and rural resources matters on the commission's activities and deposits and expenditures from the Agriculturally Derived Fuel

Fund. The authority shall provide staff and support services to the commission.

See title page for effective date.

CHAPTER 475

S.P. 186 - L.D. 579

An Act to Encourage Contributions to Family Development Account Reserve Funds

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

Sec. 1. 10 MRSA §1079, sub-§3, as enacted by PL 1997, c. 518, §2, is amended to read:

3. Duties; report. The committee shall meet at least ~~4~~ 2 times per year to study and evaluate the effectiveness of family development accounts in this State and other states; make recommendations with respect to changes in law, rule or policy that will enhance the ability of account holders to improve their economic security; and advise the authority, relevant state agencies, community development organizations and the Legislature as to its findings. The committee shall provide a comprehensive report to the joint standing committee of the Legislature having jurisdiction over business and economic development matters and the joint standing committee of the Legislature having jurisdiction over health and human services matters by March 1st of each year, beginning in 1999.

Sec. 2. 36 MRSA §198, sub-§4, ¶F, as enacted by PL 1985, c. 430, §3, is amended to read:

F. Section 5202-A; and

Sec. 3. 36 MRSA §198, sub-§4, ¶G, as amended by PL 1989, c. 508, §7, is repealed.

Sec. 4. 36 MRSA §198, sub-§4, ¶¶I, J, K, L, N and O, as enacted by PL 1989, c. 508, §7, are repealed.

Sec. 5. 36 MRSA §198, sub-§4, ¶P is enacted to read:

P. Chapter 822.

Sec. 6. 36 MRSA §5216-C is enacted to read:

§5216-C. Contributions to family development account reserve funds

1. Credit allowed. A taxpayer who contributes to a family development account reserve fund as defined in Title 10, section 1075 is allowed a credit