

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

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

Effective June 17, 1999.

CHAPTER 526

S.P. 308 - L.D. 910

**An Act to Amend the Tax Law
Regarding Tax Liability of Innocent
or Injured Spouses**

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

Sec. 1. 36 MRSA §5287 is enacted to read:

§5287. Liability of certain spouses

The assessor may relieve the liability under this Part of a spouse who meets the qualifications for relief under the following provisions whether or not a claim for federal relief was made. The assessor may grant relief for:

1. Innocent spouses. A spouse who meets the qualifications for relief under section 6015 of the Code; or

2. Injured spouses. A spouse who meets the qualifications for relief of an injured spouse under Internal Revenue Service procedures.

Sec. 2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

2000-01

**ADMINISTRATIVE AND
FINANCIAL SERVICES,
DEPARTMENT OF**

Bureau of Revenue Services

Positions - Legislative Count	(1,000)
Personal Services	\$15,391
All Other	28,675

Provides funds for a Tax Examiner position, effective January 1, 2001, and related expenses and for computer programming costs to modify

the Maine Automated Tax System.

**DEPARTMENT OF
ADMINISTRATIVE
AND FINANCIAL
SERVICES**

TOTAL \$44,066

Sec. 3. Effective date. This Act takes effect October 1, 2000.

Effective October 1, 2000.

CHAPTER 527

S.P. 391 - L.D. 1170

**An Act Concerning the Review of
State Solid Waste Management
Policies**

Emergency preamble. **Whereas,** Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the task force established by the State Planning Office needs to deal with the solid waste management issues as soon as possible; and

Whereas, it is necessary for the task force to be able to report by December 31, 1999; 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. 38 MRSA §2123-B, as enacted by PL 1995, c. 588, §3, is amended to read:

§2123-B. Review of policy

In conjunction with revisions of the plan as determined appropriate by the office, but no less often than once every 5 years, the office shall establish a broad-based task force, including Legislators from the joint standing committee of the Legislature having jurisdiction over natural resource matters and representatives of groups interested in commercial landfill solid waste management policy. During the course of its study, the task force shall consult with members of the joint standing committee of the Legislature having jurisdiction over natural resources

matters. The task force shall review state solid waste management policy regarding the development of commercial solid waste disposal facilities, including the timeline and establishment process for the development of a state-owned solid waste disposal facility; host community benefits; the development of commercial solid waste facilities and the economic competitiveness of commercial facilities; the appropriateness of developing regional disposal facilities to better serve municipalities and businesses; the continued development and expansion of beneficial reuse and recycling; and the proper role of municipal zoning and other local control in regard to siting, expansion and operation of solid waste disposal facilities and shall report its findings and recommendations to the Governor, the department and the joint standing committee of the Legislature having jurisdiction over natural resource matters.

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

Effective June 17, 1999.

CHAPTER 528

H.P. 701 - L.D. 968

An Act to Restore Municipal Revenue Sharing

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

Sec. 1. 30-A MRSA §5681, sub-§5, as amended by PL 1991, c. 780, Pt. Q, §1, is further amended to read:

5. Treasurer of State. An amount equal to 5.1% of the receipts from the taxes imposed under Title 36, Parts 3 and 8, and credited to the General Fund must be transferred by the Treasurer of State to the Local Government Fund on the first day of each month beginning August 1, 1992.

The amounts credited to the fund under this section must be calculated on the total amount of the receipts from the taxes imposed under Title 36, Parts 3 and 8 and credited to the General Fund without any reduction, including any reduction attributable to, or caused by Title 36, section 1811. This section must be construed to take precedence over any provision that purports to reduce the amounts to be credited to the fund.

Notwithstanding the provisions of Title 5, section 1513 in fiscal year 1999-00, the State Controller shall transfer to the Local Government Fund an additional amount of \$1,152,347 from the Maine Rainy Day

Fund. This amount must be transferred on or near October 1, 1999 so that it can be included in the amounts to be distributed on October 20, 1999.

The Treasurer of State shall distribute the balance in the Local Government Fund on the 20th day of each month.

See title page for effective date.

CHAPTER 529

S.P. 390 - L.D. 1169

An Act to Improve the Accountability of the Maine Children's Trust and to Explicitly Include High-quality Child Care as an Integral Part of its Mission

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

Sec. 1. 22 MRSA §3881, sub-§6, as enacted by PL 1993, c. 600, Pt. A, §16, is amended to read:

6. Prevention programs. "Prevention programs" means programs, plans or training associated with the primary prevention of child abuse and neglect and the promotion of high-quality child care.

Sec. 2. 22 MRSA §3884, sub-§1, ¶A, as enacted by PL 1993, c. 600, Pt. A, §16, is amended to read:

A. Review and evaluate existing prevention programs, including high-quality child care options;

Sec. 3. 22 MRSA §3884, sub-§3, ¶B, as enacted by PL 1993, c. 600, Pt. A, §16, is amended to read:

B. Build the leadership capacity of public and private sector individuals and institutions regarding prevention programs and prevention policies and the importance of high-quality child care in all children's early years; and

Sec. 4. 22 MRSA §3884, sub-§5, as enacted by PL 1993, c. 600, Pt. A, §16, is amended to read:

5. Criteria for awarding grants. Publicize criteria and review applications for grants and award those grants to recipients that best address the purposes of this chapter and submit to the Legislature the list of both successful and unsuccessful applicants