

MAINE STATE LEGISLATURE

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STATE OF MAINE
118TH LEGISLATURE

SECOND REGULAR SESSION
AND
SECOND SPECIAL SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
APPROPRIATIONS AND FINANCIAL AFFAIRS

MAY 1998

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Sen. Richard A. Bennett

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**ONE HUNDRED EIGHTEENTH LEGISLATURE
SECOND REGULAR AND SECOND SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees
May 1998**

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

CON RES XXX..... Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE.....Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES.....House & Senate disagree; bill died
DIED IN CONCURRENCE.....One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....Action incomplete when session ended; bill died
EMERGENCY.....Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....Bill failed to get majority vote
FAILED MANDATE ENACTMENT.....Bill imposing local mandate failed to get 2/3 vote
INDEF PP.....Bill Indefinitely Postponed
ONTP..... Ought Not To Pass report accepted
OTP ND..... Committee report Ought To Pass In New Draft
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title
P&S XXX..... Chapter # of enacted Private & Special Law
PUBLIC XXX..... Chapter # of enacted Public Law
RESOLVE XXX..... Chapter # of finally passed Resolve
UNSIGNED.....Bill held by Governor
VETO SUSTAINED.....Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

Senate Amendment "B" (S-708) proposed to clarify the minimum amount of space in the State Office Building to be dedicated to legislative use, required majority vote of the Legislative Council to determine the use of the space and authorized the Legislative Council to direct the Executive Director of the Legislative Council to enter into contracts to maintain and improve that space.

Senate Amendment "C" (S-779) proposed to change the statutory requirement of 2/3 vote of the Legislature to a majority vote of the Legislature to approve actions of the Maine Governmental Facilities Authority.

Enacted Law Summary

Public Law 1997, chapter 788 authorizes the preservation of the State House, the renovation of the State Office Building, the Tyson Building and the Marquardt Building; and the construction of a new connector between the State Capitol Building and the State Office Building to replace the current tunnel. The act increases the total bonding authority of the Maine Governmental Facilities Authority from \$60,000,000 to \$83,000,000 to accommodate the cost of the project, specifies that the total amount of the securities to be issued for the project is \$52,500,000 and allocates the specific amounts of the proceeds from the sales of the securities to the various projects to be undertaken.

The act clarifies that the scope of each project for the Legislative Branch must be approved by a majority vote of the Legislative Council and provided in writing to the authority. It also clarifies the minimum amount of space in the State Office Building to be dedicated to legislative use, requires majority vote of the Legislative Council to determine the use of the space and authorizes the Legislative Council to direct the Executive Director of the Legislative Council to enter into contracts to maintain and improve that space.

Finally, the act changes the statutory requirement of 2/3 vote of the Legislature to a majority vote of the Legislature to approve actions of the Maine Governmental Facilities Authority.

LD 2297

An Act Relating to the Taxation of Certain Federal Entities, the Business Equipment Tax Reimbursement Program, the Administration of the Tax Laws and to Make a Technical Correction

PUBLIC 729

Sponsor(s)

Committee Report

Amendments Adopted

LD 2297, Part A, provided that the sales tax exemption for governmental entities does not apply to corporations formed under Part E of the federal Farm Credit Act of 1971.

Part B provided that natural gas pipelines and certain property used in the production or generation of electricity are not eligible for reimbursement for taxes paid on certain business property.

Part C provided funds for the acquisition of a tax modeling system and provides authority to the Department of Administrative and Financial Services, Bureau of Revenue Services to contract for tax auditing services for businesses whose primary locations are outside of the State.

Part D corrected an error in the retroactivity clause of Public Law 1997, chapter 643, Part HHH, section 10. The intent of the Legislature was that only Part HHH apply retroactively. The bill ensures that the retroactivity provision applies only to Part HHH.

Enacted law summary

Public Law 1997, chapter 729, Part A, provides that the sales tax exemption for governmental entities does not apply to corporations formed under Part E of the federal Farm Credit Act of 1971.

Part B provides that natural gas pipelines and certain property used in the production or generation of electricity are not eligible for reimbursement for taxes paid on certain business property.

Part C provides funds for the acquisition of a tax modeling system and provides authority to the Department of Administrative and Financial Services, Bureau of Revenue Services to contract for tax auditing services for businesses whose primary locations are outside of the State.

Part D corrects an error in the retroactivity clause of Public Law 1997, chapter 643, Part HHH, section 10. The intent of the Legislature was that only Part HHH apply retroactively. The bill ensures that the retroactivity provision applies only to Part HHH.