

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

SECOND REGULAR SESSION
January 7, 1998 to March 31, 1998

SECOND SPECIAL SESSION
April 1, 1998 to April 9, 1998

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 1998

SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 9, 1998

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
1997

pending the final adjudication of the board with respect to such matter.

Sec. 11. Expenses. Any positions or expenditures necessary to carry out this Act may not be filled or incurred unless the legislative employees elect to collectively bargain.

Sec. 12. Effective date. This Act takes effect July 1, 1999.

Effective July 1, 1999.

CHAPTER 742

H.P. 1532 - L.D. 2159

An Act to Establish an Advisory Commission on Women Veterans

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

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

<u>5-B.</u> <u>Defense,</u> <u>Veterans and</u> <u>Emergency</u> <u>Management</u>	<u>Advisory</u> <u>Commission</u> <u>on Women</u> <u>Veterans</u>	<u>Expenses</u> <u>Only</u>	<u>37-B</u> <u>MRSA</u> <u>§1151</u>
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Sec. 2. 37-B MRSA c. 25 is enacted to read:

CHAPTER 25

WOMEN VETERANS

§1151. Advisory Commission on Women Veterans

1. Establishment. The Advisory Commission on Women Veterans, as established by Title 5, section 12004-I, subsection 5-B and referred to in this section as the "commission," shall act as an advisory commission to the Department of Defense, Veterans and Emergency Management on issues affecting women veterans. The commission shall also serve as a liaison between women veterans and the Department of Veterans Affairs Medical and Regional Office Center at Togus.

2. Membership. The commission is composed of no fewer than 3 and no more than 5 members, all of whom must be women veterans, to be appointed by the Adjutant General.

3. Chair. The commission shall elect a chair from among its members.

4. Terms of office. The term of office of a member is 3 years.

5. Compensation. Members of the commission are entitled to be reimbursed for their expenses.

6. Staff assistance. The Department of Defense, Veterans and Emergency Management shall provide assistance to the commission in the conduct of its business.

7. Meetings. The commission shall meet at least 3 times a year.

8. Duties. The duties of the commission are to:

A. Advise the Department of Defense, Veterans and Emergency Management on issues affecting women veterans; and

B. Serve as a liaison between women veterans and the Department of Veterans Affairs Medical and Regional Office Center at Togus.

Sec. 3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1998-99

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Veterans Services

All Other \$1,200

Provides funds for the reimbursement of expenses for members of the Advisory Commission on Women Veterans.

See title page for effective date.

CHAPTER 743

S.P. 708 - L.D. 1956

An Act to Extend the Prevailing Wage Laws to the Maine Turnpike Authority

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

Sec. 1. 23 MRSA §1966, sub-§2, as amended by PL 1991, c. 435, §1, is further amended to read:

2. Contracts for construction or reconstruction. All contracts and agreements relating to the construction or reconstruction of the turnpike and the construction or reconstruction of connecting tunnels and bridges, overpasses, underpasses, interchanges and toll facilities must be approved by the Department of Transportation and the turnpike and connecting tunnels and bridges, overpasses, underpasses, interchanges and barriers must be constructed or reconstructed under the supervision of the department.

Contractors and subcontractors on all authority construction and reconstruction projects must be equal opportunity employers and, in connection with contracts in excess of \$250,000, also pursue in good faith affirmative action programs designed to remedy underrepresentation of minorities, women and persons with disabilities. The authority may by rule provide for the enforcement of this requirement. To the extent practical, the authority may use program and technical information developed by and available through the Department of Transportation to carry out this subsection.

All authority construction and reconstruction projects are governed by the prevailing wage provisions in Title 26, chapter 15.

Sec. 2. 26 MRSA §1304, sub-§7, as repealed and replaced by PL 1967, c. 403, is amended to read:

7. Public authority. "Public authority" means the Maine Turnpike Authority or any officer, board or commission or other agency of the State of ~~Maine~~, that is authorized by law to enter into contracts for the construction of public works, and is supported in whole or in part by public funds of the State of ~~Maine~~, and sections. Sections 1304 to 1313 shall apply to expenditures made in whole or in part from such public funds.

See title page for effective date.

CHAPTER 744

S.P. 720 - L.D. 1963

An Act to Require the Bureau of Revenue Services to Report on the Incidence of Tax Burdens to Business Sectors of the State's Economy and to Income Classes of Citizens

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

Sec. 1. 36 MRSA c. 11 is enacted to read:

CHAPTER 11

REVENUE IMPACT

§200. Bureau of Revenue Services report on revenue incidence

1. Impact of taxes on individuals. The bureau shall submit a report containing the information required by this subsection to the Legislature by July 1, 1999 and by October 1st of each even-numbered year thereafter.

A. Part 1 of the report must describe the overall incidence of all state, local and county taxes. The report must present information on the distribution of the tax burden:

(1) For the overall income distribution, using a measure of system-wide incidence that appropriately measures equality and inequality;

(2) By income classes, including, at a minimum, deciles of the income distribution; and

(3) By other appropriate taxpayer characteristics.

B. Part 2 of the report must describe the impact of the tax system on business and industrial sectors. The report must:

(1) Describe the impact of taxes on major sectors of the business and industrial economy relative to other sectors; and

(2) Describe the relative impact of each tax on business and industrial sectors.

C. When determining the overall incidence of taxes under this subsection, the bureau shall reduce the amount of taxes collected by the amount of taxes that are returned directly to taxpayers through tax relief programs.

2. Legislation analysis. At the request of the joint standing committee of the Legislature having jurisdiction over taxation matters, the bureau shall prepare an incidence impact analysis of any legislation or proposal to change the tax laws that increases, decreases or redistributes taxes by more than \$20,000,000. To the extent data is available on the changes in the distribution of the tax burden that are effected by that legislation or proposal, the analysis must report on the incidence effects that would result if the legislation were enacted. The report may present information, using system-wide measures, by income classes, taxpayer characteristics or other relevant categories. The report may include analyses