

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE

FIRST SPECIAL SESSION
August 21, 2003 to August 22, 2003

The General Effective Date For
First Special Session
Non-Emergency Laws Is
November 22, 2003

SECOND REGULAR SESSION
January 7, 2004 to January 30, 2004

The General Effective Date For
Second Regular Session
Non-Emergency Laws Is
April 30, 2004

SECOND SPECIAL SESSION
February 3, 2004 to April 30, 2004

The General Effective Date For
Second Special Session
Non-Emergency Laws Is
July 30, 2004

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

Penmor Lithographers
Lewiston, Maine
2004

Sec. 20. 36 MRSA §5243, as repealed and replaced by PL 1991, c. 546, §35, is repealed.

Sec. 21. 36 MRSA §5278, sub-§4, as amended by PL 1989, c. 508, §24, is further amended to read:

4. Notice of change or correction. If a taxpayer is required by section ~~5243~~ 5227-A to file an amended Maine return, a claim for credit or refund of any resulting overpayment of the tax ~~shall~~ must be filed by the taxpayer within 2 years from the time the filing of the amended return was required. The amount of the credit or refund ~~shall~~ may not exceed the amount of the reduction in tax attributable to the federal amendment. This subsection ~~shall~~ does not affect the time within which or the amount for which a claim for credit or refund may be filed apart from this subsection.

Sec. 22. 36 MRSA §5311, sub-§3, as enacted by P&SL 1969, c. 154, §F, is repealed.

Sec. 23. 36 MRSA §5311, sub-§4, as enacted by PL 1977, c. 165, §7, is repealed.

See title page for effective date.

CHAPTER 589

H.P. 1305 - L.D. 1783

An Act To Clarify Prequalification Criteria for Public Improvements

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

Sec. 1. 5 MRSA §1747, sub-§3, as amended by PL 2001, c. 271, §2, is further amended to read:

3. Insufficient resources. If, in the opinion of the director, there is evidence the contractor does not have sufficient resources to successfully complete the work. The director may require additional information about the contractor's resources, including identification of major claims or litigation pending and whether the contractor has sought protection under the bankruptcy laws in the past 5 years. That information is confidential and not subject to disclosure under Title 1, chapter 13, subchapter ~~1~~ 1. In evaluating the resources of a contractor, the director may consider the contractor's prior experience, including any significant disparity between the size and type of prior projects and the project or projects under consideration;

See title page for effective date.

CHAPTER 590

S.P. 622 - L.D. 1690

An Act To Authorize the STARBASE Program

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

Sec. 1. 37-B MRSA §3, sub-§1, ¶D, as amended by PL 2003, c. 404, §2, is further amended by adding a new subparagraph (16) to read:

(16) The Adjutant General may establish a science, mathematics and technology education improvement program for school-children known as the STARBASE Program. The Adjutant General may accept financial assistance and in-kind assistance, advances, grants, gifts, contributions and other forms of financial assistance from the Federal Government or other public body or from other sources, public or private, to implement the STARBASE Program. The Adjutant General may employ a director and other employees, permanent or temporary, to operate the STARBASE Program.

Sec. 2. Appropriations and allocations.

The following appropriations and allocations are made.

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Military Training & Operations 0108

Initiative: Allocates funds to establish one Clerk III position, 2 Teacher positions, one Teacher/Principal position and necessary operational costs to reflect the establishment of the STARBASE program.

Federal Expenditures Fund	2003-04	2004-05
Positions - Legislative Count	(0.000)	(4.000)
Personal Services	\$0	\$238,046
All Other	0	71,954
Federal Expenditures Fund Total	\$0	\$310,000

See title page for effective date.

CHAPTER 591

S.P. 637 - L.D. 1705

An Act To Simplify the Maine Turnpike Authority's Enforcement Procedures for Toll Violations

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