

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2004 to March 30, 2005**

**FIRST SPECIAL SESSION**  
**April 4, 2005 to June 18, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 29, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 17, 2005**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2005**

**Sec. 3. Report. Resolved:** That the Public Utilities Commission and the Maine State Housing Authority, no later than January 31, 2006, shall report to the Joint Standing Committee on Utilities and Energy the results of and any recommendations produced by the stakeholder discussions coordinated in accordance with section 1 and the form developed pursuant to section 2. The report must include suggested legislation to implement any recommendations of the commission resulting from its activities pursuant to this resolve; and be it further

**Sec. 4. Authority to report legislation. Resolved:** That the Joint Standing Committee on Utilities and Energy may report out legislation relating to the subject matter of this resolve to the Second Regular Session of the 122nd Legislature.

See title page for effective date.

## CHAPTER 110

H.P. 747 - L.D. 1094

### **Resolve, To Study Adoption of the Streamlined Sales and Use Tax Agreement**

#### **Sec. 1. Report and legislation regarding Streamlined Sales and Use Tax Agreement.**

**Resolved:** That the Department of Administrative and Financial Services, Bureau of Revenue Services shall prepare for submission to the Second Regular Session of the 122nd Legislature a report that:

1. Identifies any changes to the Maine Revised Statutes that are needed in order to conform the State's laws to the Streamlined Sales and Use Tax Agreement and the options available to provide conformity;
2. Identifies the impact of each option identified pursuant to subsection 1; and
3. Identifies and explains any fiscal and policy issues associated with conformity with the Streamlined Sales and Use Tax Agreement.

The bureau shall submit its report, along with legislation conforming the State's sales and use tax law with the Streamlined Sales and Use Tax Agreement in a manner that, as nearly as possible, maintains the State's current sales and use tax laws no later than January 15, 2006.

See title page for effective date.

## CHAPTER 111

H.P. 1181 - L.D. 1672

### **Resolve, Regarding Legislative Review of Portions of Chapter 1: Procedures; Portions of Chapter 3: Maine Clean Election Act and Related Practices; and Campaign Reporting Forms for Candidates, Major Substantive Rules of the Commission on Governmental Ethics and Election Practices**

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

**Whereas,** the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rules have been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rules; 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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 1: Procedures; portions of Chapter 3: Maine Clean Election Act and Related Practices; and Campaign Reporting Forms for Candidates, provisionally adopted major substantive rules of the Commission on Governmental Ethics and Election Practices that have been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following changes are made.

In Chapter 1, section 7, with regard to the advance purchase of goods and services, the language must be changed to include radio and television contracts and contracts for design work among the goods and services that, if contracted or paid for prior to the primary election, must be received prior to the primary election to be considered primary election expenditures. The language in Chapter 1, section 7, with regard to the advance purchase of goods and services, must also be changed to remove the requirement that a report be filed when a preponderance of