

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

SECOND REGULAR SESSION
January 2, 2008 to March 31, 2008

FIRST SPECIAL SESSION
April 1, 2008 to April 18, 2008

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 2008

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 18, 2008

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

Penmor Lithographers
Lewiston, Maine
2008

4. Rulemaking. The department may establish rules ~~regarding the award of pooled savings to implement this section.~~ Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 7. 22 MRSA §350-A, as amended by PL 2007, c. 440, §21, is further amended to read:

§350-A. Cost-of-living adjustment

~~Every 2 years, beginning January 1, 2005~~ Beginning January 1, 2009 and annually thereafter, the department shall review the monetary figures contained in this chapter. The department shall publish revised figures to correspond to changes in the Consumer Price Index medical index.

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

Effective April 23, 2008.

CHAPTER 682

S.P. 932 - L.D. 2324

An Act To Expedite the Maintenance and Repair of Maine's Transportation Network

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

Sec. 1. 25 MRSA §1509-A is enacted to read:

§1509-A. Funding

Beginning in fiscal year 2009-10, state funding for the Department of Public Safety, Bureau of State Police must be provided as follows:

1. Highway Fund. Forty-nine percent must be allocated from the Highway Fund pursuant to Title 23, section 1653; and

2. General Fund. Fifty-one percent must be appropriated from the General Fund.

Sec. 2. PL 2007, c. 537, §3 is repealed.

Sec. 3. Calculation and transfer; Highway Fund allocations reductions to Bureau of State Police. For the biennial budget year beginning July 1, 2009, the State Budget Officer shall calculate the reduction in Highway Fund allocations to the Department of Public Safety, Bureau of State Police resulting from the percentage reduction from 60% as required under the Maine Revised Statutes, former section 1509 to 49% in the section of this Act that enacts Title 25, section 1509-A and shall notify the State Controller, who shall transfer that amount from the Highway Fund

to the TransCap Trust Fund established by Title 30-A, section 6006-G.

Sec. 4. Authorization to issue TransCap Trust Fund revenue bonds for highways. Notwithstanding any other provision of law, the Maine Municipal Bond Bank, at the request of the Department of Transportation, is authorized to issue TransCap Trust Fund revenue bonds as provided in the Maine Revised Statutes, Title 30-A, section 6006-G from time to time in amounts that in total do not exceed \$50,000,000 from the effective date of this Act to fiscal year 2012-13 for the purpose of undertaking highway reconstruction projects in the State. This section does not limit the ability to authorize additional TransCap Trust Fund revenue bonds for additional transportation needs or any other eligible purpose.

Sec. 5. Legislative findings. The Legislature finds that apportioning the funding for the Bureau of State Police between 51% from the General Fund and 49% from the Highway Fund is a fair and equitable method of funding for that bureau. The Legislature further finds that this Act, together with prior use of General Fund resources to pay for services and capital projects normally covered by the Highway Fund, constitutes an equitable division of revenues and spending between the 2 funds now and in the future.

Sec. 6. Transfer from Highway Fund to TransCap Trust Fund. On or before June 30, 2009, the State Controller shall transfer \$5,000,000 from the Highway Fund to the TransCap Trust Fund established in the Maine Revised Statutes, Title 30-A, section 6006-G.

Sec. 7. Appropriations and allocations. The following appropriations and allocations are made.

MUNICIPAL BOND BANK, MAINE

TransCap Trust Fund

Initiative: Allocates funds to authorize transfer to the TransCap Trust Fund at the Maine Municipal Bond Bank.

| OTHER SPECIAL REVENUE FUNDS | 2007-08 | 2008-09 |
|-----------------------------------|---------|-------------|
| All Other | \$0 | \$5,000,000 |
| | \$0 | \$5,000,000 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | \$0 | \$5,000,000 |

TRANSPORTATION, DEPARTMENT OF

Highway and Bridge Capital 0406

Initiative: Deallocates funds on a one-time basis from the Highway and Bridge Capital program to transfer to

the TransCap Trust Fund for the debt service on a bond of up to \$50,000,000.

| | | |
|----------------------|----------------|----------------|
| HIGHWAY FUND | 2007-08 | 2008-09 |
| Capital Expenditures | \$0 | (\$5,000,000) |
| <hr/> | | |
| HIGHWAY FUND TOTAL | \$0 | (\$5,000,000) |

Sec. 8. Effective date. That section of this Act that enacts the Maine Revised Statutes, Title 25, section 1509-A takes effect July 1, 2009.

See title page for effective date, unless otherwise indicated.

**CHAPTER 683
H.P. 1671 - L.D. 2311**

**An Act To Invest in Maine's
Young Children**

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

PART A

Sec. A-1. 5 MRSA §12004-J, sub-§16 is enacted to read:

16.

| | | | |
|-----------------|--|--|--------------------------|
| <u>Children</u> | <u>Maine Children's Growth Council</u> | <u>Legislative Per Diem and Ex- penses for Legislators and for Certain Members</u> | <u>5 MRSA §24001</u> |
|-----------------|--|--|--------------------------|

Sec. A-2. 5 MRSA Pt. 30 is enacted to read:

PART 30

INVESTMENT IN YOUNG CHILDREN

CHAPTER 621

MAINE CHILDREN'S GROWTH COUNCIL

§24001. Maine Children's Growth Council

1. Definitions. As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

A. "Council" means the Maine Children's Growth Council established in subsection 2.

B. "Young children" means children from birth through 5 years of age.

2. Establishment. The Maine Children's Growth Council, as established in section 12004-J, subsection 16, is created to develop, maintain and evaluate a plan for sustainable social and financial investment in healthy development of the State's young children and their families.

3. Membership. The council consists of 27 members who must have a strong interest in early childhood and early care and education and must be influential in their communities:

A. Two members of the Senate, one from each of the 2 political parties having the greatest number of members in the Senate, appointed by the President of the Senate;

B. Two members of the House of Representatives, one from each of the 2 political parties having the greatest number of members in the House, appointed by the Speaker of the House;

C. The Governor or the Governor's designee and the Attorney General or the Attorney General's designee;

D. Three parents, at least one of whom has a young child, one each appointed by the Governor, the President of the Senate and the Speaker of the House;

E. Two persons with experience in public funding and philanthropy, appointed by the President of the Senate;

F. One person representing child abuse and neglect prevention, appointed by the Speaker of the House;

G. One person representing postsecondary education, appointed by the Governor;

H. Eight persons representing statewide, membership or constituent organizations that advance the well-being of young children and their families, nominated by their organizations and appointed by the Governor, of whom:

(1) Three must represent statewide organizations or associations involved in early care and education programs, child care centers, Head Start programs, family child care providers, resource development centers, programs for school-age children, child development services, physicians and child advocacy;

(2) One must represent a law enforcement organization involved with children;

(3) One must represent an organization that works on community organization and mobilization;

(4) One must represent public health;