

# MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION

2  
3 ONE HUNDRED AND TENTH LEGISLATURE

4  
5 **Legislative Document**

**No. 1933**

6  
7  
8 H. P. 1960 House of Representatives, February 9, 1982  
Filed by the Joint Standing Committee on Taxation under Joint  
Rule 18, pursuant to PL 1977, chapter 548.

Reported by Representative Masterman from the Committee on  
Taxation and ordered printed under Joint Rules No. 18.

EDWIN H. PERT, Clerk

9  
10 **STATE OF MAINE**

11  
12 **IN THE YEAR OF OUR LORD**  
13 **NINETEEN HUNDRED AND EIGHTY-TWO**

14  
15 **AN ACT to Amend Laws Relating to the**  
16 **Maine Development Foundation and Economic**  
17 **Development.**

18  
19 Be it enacted by the People of the State of Maine as follows:

20 **Sec. 1. 10 MRSA §917, sub-§6, as amended by PL 1981,**  
21 **c. 512, §8, is repealed and the following enacted in its**  
22 **place.**

23 6. Climate for economic development. Promotion of an  
24 improved climate for economic development in the State  
25 through judicious use of the public and private nature of  
26 the foundation to provide objective analysis and develop  
27 broad consensus on issues of significance to the economic  
28 health of the State; provided that the promotion does not  
29 require the foundation to register as a lobbyist employer  
30 pursuant to Title 3, chapter 15; and further provided that  
31 the foundation does not advocate to the general public a  
32 position on a question as defined in Title 21, section 1,  
33 subsection 30.

1         Sec. 2. 10 MRSA §927, as enacted by PL 1977, c.548,  
2 §1, is repealed.

3         Sec. 3. Study. The joint standing committee having  
4 jurisdiction over taxation shall prepare and submit to the  
5 Legislature, not later than December 31, 1983, an evaluation  
6 report on the Maine Capital Corporation and any tax legis-  
7 lation that relates directly to it. At a minimum, the  
8 evaluation shall include the following:

9             1. A description and evaluation of the extent to which  
10 the statutory purposes of the Maine Capital Corporation and  
11 related tax legislation were achieved; and

12            2. Recommendations as to whether the Maine Capital  
13 Corporation and related tax legislation ought to be termi-  
14 nated, modified or continued, together with any legislation  
15 necessary to accomplish the recommendations.

16         The inquiry of the committee shall include, but need  
17 not be limited to, the following authorities:

18             1. The Maine Capital Corporation, Title 10, chapter  
19 108; and

20             2. Tax legislation relating to the Maine Capital Cor-  
21 poration, Title 36, sections 5206 and 5216.

22         The Maine Capital Corporation, the Department of  
23 Finance and Administration and any other state department or  
24 agency shall cooperate to the extent requested by the com-  
25 mittee.

## 26                                 STATEMENT OF FACT

27         This bill is the result of a study conducted by the  
28 joint standing committee having jurisdiction over taxation  
29 pursuant to the law that established the Maine Development  
30 Foundation, Public Law 1977, chapter 548, section 2. That  
31 law required that a legislative committee review the founda-  
32 tion and make recommendations to the Legislature.

33         This bill contains 2 recommendations:

34             1. Sections 1 and 2 of the bill repeal the liberal  
35 construction clause and rewrite the foundation's purpose  
36 clause relating to "creating a climate for economic develop-  
37 ment." This is to clarify that the foundation, in creating

1 a climate for economic development, may conduct objective  
2 analyses and attempt to develop broad consensus on issues of  
3 significance to the economic health of Maine, provided that  
4 its activities do not require it to register with the State  
5 as a lobbyist employer and that it does not advocate to the  
6 public a position on an initiative or referendum question;

7 2. Section 3 of the bill requires that the joint  
8 standing committee having jurisdiction over taxation conduct  
9 a study of the Maine Capital Corporation and its related tax  
10 legislation at the same time that the Maine Development  
11 Foundation is reviewed under the existing provision of the  
12 "sunset" law.

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