

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## SECOND REGULAR SESSION-2004

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Legislative Document

No. 1818

S.P. 666

In Senate, December 23, 2003

### An Act To Amend the Economic Development Laws

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Submitted by the Department of Economic and Community Development pursuant to Joint Rule 204.

Received by the Secretary of the Senate on December 22, 2003. Referred to the Committee on Business, Research and Economic Development pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 218.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator BROMLEY of Cumberland.  
Cosponsored by Representative SULLIVAN of Biddeford and  
Senators: HALL of Lincoln, SHOREY of Washington, Representatives: AUSTIN of Gray,  
PELLON of Machias, ROGERS of Brewer, SMITH of Monmouth.

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

4 **Sec. 1. 5 MRSA §3327, sub-§1, ¶G**, as amended by PL 2003, c. 9, §1, is further amended to read:

6 G. The Commissioner of Economic and Community Development  
8 or the commissioner's designee;

10 **Sec. 2. 5 MRSA §13033**, as amended by PL 2001, c. 142, §2, is further amended to read:

12 **§13033. Membership**

14 The commission consists of 7 members: the Chief Executive  
16 Officer of the Finance Authority of Maine or the Chief Executive  
18 Officer's designee; the Commissioner of Economic and Community  
20 Development or the commissioner's designee; the District Director  
22 of the United States Small Business Administration's Maine  
District Office; and a designee from the administrative unit and  
3 public members with expertise and knowledge in small business  
and entrepreneurship, appointed by the commissioner.

24 **Sec. 3. 5 MRSA §13120-B, sub-§§1 and 5**, as enacted by PL 2001, c. 703, §6, are amended to read:

26 **1. Carrying costs.** "Carrying costs" means reasonable costs  
28 incurred for the maintenance, protection and security of a  
community speculative industrial building prior to occupancy,  
including, but not limited to, insurance, taxes and interest.

30 **5. Speculative industrial building.** "Community Speculative  
32 industrial building" means a building of flexible design and  
suitable for commercial use, for which the construction or  
34 carrying costs or both are financed through this subchapter for  
the purpose of creating new jobs in a municipality resulting from  
36 the sale or lease of the building.

38 **Sec. 4. 5 MRSA §13120-C, sub-§1, ¶A**, as enacted by PL 2001, c. 703, §6, is amended to read:

40 A. Community Speculative industrial building program,  
42 pursuant to section 13120-N;

44 **Sec. 5. 5 MRSA §13120-D, sub-§1, ¶B**, as enacted by PL 2001, c. 703, §6, is amended to read:

46 B. Two ex officio members:

48 (1) The Commissioner of Economic and Community  
50 Development or the commissioner's designee; and

2 (2) The Chief Executive Officer of the Finance  
3 Authority of Maine or the chief executive officer's  
4 designee.

6 **Sec. 6. 5 MRSA §13120-I, sub-§1**, as amended by PL 2003, c.  
7 281, §4, is further amended to read:

8  
9 **1. Authorization.** The authority may provide by resolution  
10 for the issuance of bonds for the purpose of funding the  
11 Community Speculative Industrial Buildings Fund, or any successor  
12 to the fund, for the construction of proposed commercial  
13 facilities and improvement of existing or acquired commercial  
14 facilities and for the fulfillment of other undertakings that it  
15 may assume. The bonds of the authority do not constitute a debt  
16 of the State or of any agency or political subdivision of the  
17 State but are payable solely from the revenue of the authority,  
18 and neither the faith nor credit nor taxing power of the State or  
19 any political subdivision of the State is pledged to payment of  
20 the bonds. Notwithstanding any other provision of law, any bonds  
21 issued pursuant to this subchapter are fully negotiable. If any  
22 member of the board of trustees whose signature appears on the  
23 bond or coupons ceases to be a member of the board of trustees  
24 before the delivery of those bonds, that signature is valid and  
25 sufficient for all purposes as if that member of the board of  
26 trustees had remained a member of the board of trustees until  
27 delivery.

28  
29 **Sec. 7. 5 MRSA §13120-I, sub-§3**, as enacted by PL 2001, c.  
30 703, §6, is amended to read:

31  
32 **3. Money received.** All money received from any bonds  
33 issued must be applied solely for loans to municipalities or  
34 local development corporations for community speculative  
35 industrial buildings, for the construction of proposed commercial  
36 facilities and improvement of existing or acquired commercial  
37 facilities and for the fulfillment of other undertakings that are  
38 within the power of the authority. There is created a lien upon  
39 the money until so applied in favor of the bondholders or any  
40 member of the board of trustees as may be provided in respect of  
41 the bonds.

42  
43 **Sec. 8. 5 MRSA §13120-J, sub-§1**, as enacted by PL 2001, c.  
44 703, §6, is amended to read:

45  
46 **1. Acquisition of interest.** A member of the board of  
47 trustees or employee of the authority may not acquire or hold a  
48 direct or an indirect personal financial ~~or-personal~~ interest in:

49  
50 A. An authority activity;

2 B. Property or facilities included, planned to be included  
3 or expected to directly benefit from an authority activity;  
4 or

6 C. A contract or proposed contract in connection with an  
7 authority activity.

8  
9 When an acquisition is involuntary, the interest acquired must be  
10 disclosed immediately in writing to the board of trustees and the  
11 disclosure must be entered in the board of trustees' minutes.

12  
13 **Sec. 9. 5 MRSA §13120-N**, as amended by PL 2003, c. 281, §§5  
14 and 6, is further amended to read:

16 **§13120-N. Speculative industrial building program**

18 The authority may assist a municipality or local development  
19 corporation to construct a ~~e~~community speculative industrial  
20 building by loaning the municipality or local development  
21 corporation money for construction or carrying costs or both for  
22 the project, subject to the following.

24 **1. Project.** The following conditions apply to a project  
25 receiving money under this section.

26 A. The project must be within the scope of this subchapter,  
27 must be of public use and benefit and must reasonably be  
28 expected to accomplish one or more of the following:

- 30 (1) Create new employment opportunities;  
32 (2) Retain or improve existing employment; or  
34 (3) Improve the competitiveness of the occupant  
35 business.

38 B. Not more than one unoccupied ~~e~~community speculative  
39 industrial building project may be financed in a  
40 municipality.

42 C. The authority shall charge interest on loans or funds  
43 provided under this section to the municipality or local  
44 development corporation for a ~~e~~community speculative  
45 industrial building that remains unoccupied for 3 or more  
46 years following completion of the building.

48 D. The authority shall adopt rules under chapter 375 with  
49 respect to:

50

- 2 (1) The methodology and criteria for allocating funds  
to ~~e~~community speculative industrial building projects;
- 4 (2) The process through which municipalities and local  
6 development corporations must apply for ~~e~~community  
speculative industrial building funds;
- 8 (3) Rates of interest, the duration of interest  
10 payments and any other terms to which municipalities  
and local development corporations must be subject  
12 under this paragraph; and
- 14 (4) Other matters necessary to the proper  
administration of this section.

16 Rules adopted under this paragraph are routine technical  
18 rules pursuant to chapter 375, subchapter 2-A.

20 **2. Obligations.** The municipality or local development  
corporation receiving money under this section must:

- 22 A. Own, or hold on long-term lease, the site for the  
24 project;
- 26 B. Be responsible for and present evidence to the authority  
of its ability to carry out the project as planned;
- 28 C. Site and maintain the ~~e~~community speculative industrial  
30 building on property that is appropriate to the size and  
location of the ~~e~~community speculative industrial building;
- 32 D. Provide and maintain, with funds other than those  
34 provided by the authority, an adequate access road from a  
public highway to the proposed site and provide and maintain  
36 water, sewer and power facilities. The municipality or  
local development corporation must be responsible for  
38 plowing out the plant site at all times and for landscaping  
the grounds surrounding the building until the building is  
occupied by a tenant;
- 40 E. Comply with applicable zoning, planning and sanitary  
42 regulations in the municipality where the ~~e~~community  
speculative industrial building is to be located. A loan  
44 may not be approved and a certificate of approval for the  
project or for any subsequent enlargement or addition to the  
46 project may not be issued until the Department of  
Environmental Protection has certified to the authority that  
48 all licenses required by the authority have been issued or  
that none are required; and
- 50

2 F. Make adequate provisions for insurance and fire  
protection and for maintenance of the ~~e~~community speculative  
4 industrial building while it is unoccupied.

6 **3. Loan terms.** Terms for a loan under this section are as  
follows.

8 A. The authority shall prescribe the terms and conditions  
of the loan.

10 B. Loans must be repaid in full, including interest and  
12 other charges, within 90 days after the ~~e~~community  
speculative industrial building is occupied.

14 C. A ~~e~~community speculative industrial building financed by  
16 an authority loan may not be sold or leased without the  
express approval of the purchaser or lessee by the  
18 authority. If the municipality or local development  
corporation and the authority agree that a ~~e~~community  
20 speculative industrial building is unlikely to be sold in  
the near future despite a marketing effort, the authority  
22 may permit an interim lease upon terms it considers  
appropriate for the protection of the Community Speculative  
24 Industrial Buildings Fund or any successor to the fund.  
Occupation of the premises under an interim lease does not  
26 require payment in full of the entire loan within 90 days,  
as provided in paragraph B.

28 **4. Marketing and promotion.** The municipality or local  
30 development corporation receiving money under this section shall  
make a reasonable and continual effort to market the ~~e~~community  
32 speculative industrial building for sale into private commercial  
use. Upon the request of the authority, the municipality or  
34 local development corporation shall present evidence of its  
marketing efforts and expenditures related to the ~~e~~community  
36 speculative industrial building.

38 **5. Taxes.** While a ~~e~~community speculative industrial  
building under this section remains unoccupied and a first  
40 mortgage is held by the authority, it is property held for a  
legitimate public use and benefit and is exempt from all taxes  
42 and special assessments of the State or any of its political  
subdivisions.

44 **6. Municipality.** A municipality may raise or appropriate  
46 money supporting and guaranteeing the obligation of a chamber of  
commerce, board of trade or local development corporation for the  
48 purpose of constructing a ~~e~~community speculative industrial  
building subject to the provisions of this subchapter.

50

2           **Sec. 10. 5 MRSA §13120-P, sub-§§2 and 3**, as amended by PL 2003,  
c. 281, §8, are further amended to read:

4           **2. Redevelopment of property.** Except as provided in  
6           section 13120-Q, the authority may undertake the redevelopment of  
property as an owner or lender for subsequent use and sale under  
the following conditions:

8           A. The property has been previously and materially used as  
10           a commercial facility or the property is suitable for  
adaptive use as a commercial or industrial facility;

12           B. The property is currently not in productive commercial  
14           use or is expected to be taken out of productive commercial  
use within the immediate future;

16           C. The property has not been placed under a purchase option  
18           or contract;

20           D. The authority, using due diligence, has determined that:

22                   (1) There is a reasonable expectation that the  
24                   property will become financially viable following its  
redevelopment; and

26                   (2) The economic benefits, including the restoration  
28                   of employment opportunities, expected to result from  
the redevelopment justify the risks associated with the  
authority's equity interest in the property; and

30           E. At If the municipality or the local development  
32           corporation is the source of the project, such as through  
34           owning the property, or uses town or other grant funds to  
36           participate in the redevelopment project, at least 25% of  
38           the authority's total cost to acquire, redevelop and return  
the property to productive commercial use will be borne by  
the that municipality or local development corporation; and

40           F. If the undeveloped land or personal property is part of  
the overall redevelopment project.

42           **3. Development of property.** Except as provided in section  
44           13120-Q, the authority may undertake the development of property  
as an owner or lender for subsequent use and sale under the  
following conditions:

46           A. The property consists of real estate that is zoned,  
48           sited or otherwise suitable for development as a commercial  
facility;

50



2 B. The property is currently not in productive commercial  
use;

4 C. The property has not been placed under a purchase option  
or contract;

6 D. The authority, using due diligence, has determined that:

8 (1) There is a reasonable expectation that the  
10 property will become financially viable following its  
development;

12 (2) The development of the property will create  
14 employment opportunities and other economic benefits  
within the region; and

16 (3) The economic benefits expected to result from the  
18 development justify the risks associated with the  
authority's equity interest in the property; and

20 E. At If the municipality or the local development  
22 corporation is the source of the project, such as through  
24 owning the property, or uses town or other grant funds to  
26 participate in the redevelopment project, at least 25% of  
the authority's total cost to acquire, develop and bring the  
property to productive commercial use will be borne by the  
28 that municipality or local development corporation; and

30 F. If that undeveloped land or personal property is part of  
the overall development project.

32 **Sec. 11. 5 MRSA §15302, sub-§3**, as enacted by PL 1999, c. 401,  
Pt. AAA, §3 and amended by PL 2003, c. 20, Pt. OO, §2 and  
34 affected by §4, is further amended to read:

36 **3. Board of Directors of the Maine Technology Institute.**  
The institute is governed and all of its powers exercised by a  
38 board of directors, referred to in this chapter as the "board,"  
consisting of ~~12~~ 13 voting members and ~~3~~ 2 nonvoting members.

40 A. The Governor shall appoint 9 ~~10~~ voting directors, 7 ~~8~~ of  
42 whom must be representatives of targeted technologies. The  
other 2 directors must have demonstrated significant  
44 experience in finance, lending or venture capital. In  
making the appointments from targeted technologies, the  
46 Governor shall consider recommendations submitted by  
representatives of targeted technology sectors. Directors  
48 of the board appointed by the Governor are entitled to  
receive reimbursement at the legislative rate for necessary

2 expenses for their attendance at authorized meetings of the  
board.

4 B. The Commissioner of Economic and Community Development  
6 or the commissioner's designee, the President of the Maine  
Community College System or the president's designee and the  
8 Chancellor of the University of Maine System or the  
chancellor's designee are ex officio voting directors.

10 C. ~~The President--of--the--Maine--Science--and--Technology~~  
12 ~~Foundation--or--the--president's--designee--and--the~~ Director of  
the State Planning Office or the director's designee are is  
14 an ex officio nonvoting directors director.

16 D. The Maine Technology Institute Director is a nonvoting  
director.

18 **Sec. 12. 10 MRSA §965, sub-§4**, as amended by PL 1987, c. 403,  
20 §2 and c. 534, Pt. B, §§7 and 23, is further amended to read:

22 **4. State members.** Three members of the authority shall  
represent the State ~~and shall consist of~~ , including:

24 A. The Commissioner of Economic and Community Development  
26 or the commissioner's designee;

28 B. One natural resources commissioner designated by the  
Governor from either the Department of Agriculture, Food and  
Rural Resources; the Department of Conservation; or the  
30 Department of Marine Resources; and

32 C. The Treasurer of State, ex officio.

34 **Sec. 13. 10 MRSA §1413, sub-§4**, as enacted by PL 1979, c. 503,  
36 §2, is amended to read:

38 **4. Commission.** "Commission" means the ~~Commission on Energy~~  
~~Efficiency--Building--Performance--Standards~~ Public Utilities  
40 Commission.

42 **Sec. 14. 10 MRSA §1413, sub-§7**, as amended by PL 1989, c. 501,  
Pt. DD, §21, is repealed.

44 **Sec. 15. 10 MRSA §1413, sub-§11**, as amended by PL 1991, c.  
46 824, Pt. A, §13, is further amended to read:

48 **11. Manual of Accepted Practices.** "Manual of Accepted  
Practices" means the Manual of Accepted Practices prepared by the  
~~Department of Economic and Community Development~~ Public Utilities

2 Commission in conformance with the mandatory standards for  
residential construction as defined in section 1415-C.

4 **Sec. 16. 10 MRSA §1414-A**, as amended by PL 1989, c. 501, Pt.  
DD, §23, is further amended to read:

6  
8 **§1414-A. Adoption of energy performance building standards by  
state agencies**

10 Energy performance building standards adopted by state  
12 agencies shall must be coordinated with each other, as far as  
practicable, so that similar activities and buildings are treated  
14 in a similar way. The ~~Commissioner of Economic and Community  
Development~~ commission shall assist other state agencies in  
developing energy standards which that comply with this section.

16  
18 **Sec. 17. 10 MRSA §1415-C, sub-§§4 to 6**, as amended by PL 1991,  
c. 824, Pt. A, §14, are further amended to read:

20 **4. Waiver.** A waiver from subsection 3 may be granted by  
22 the ~~commissioner~~ commission on a case-by-case basis for instances  
of renovation as defined by section 1413, subsection 15. In  
24 regards to the renovation of historic buildings, a waiver is  
granted when the Executive Director of the State Historic  
26 Preservation Commission determines that adherence to the energy  
building standards would result in irreparable damage to the  
28 historic character of a building on the National Register of  
Historic Places, eligible for nomination to the national register  
or designated as a historic building by a certified municipal  
30 historic preservation ordinance. In other instances, such as the  
rebuilding of a structure damaged by fire or a historic  
32 preservation project when maintaining historic character is not  
an issue, the ~~commissioner~~ commission may grant a waiver when it  
34 can be shown that the additional cost of meeting the energy  
building standards would make the building renovation  
36 economically infeasible.

38 **5. Waiver decision.** The ~~commissioner~~ commission shall  
render a decision on an application for a waiver from the  
40 standards within 30 days of the receipt by the ~~commissioner~~  
commission of a complete application for a waiver. In rendering  
42 a decision, the ~~commissioner~~ commission may place conditions upon  
the granting of a waiver. Failure on the part of the  
44 ~~commissioner~~ commission to render a decision within the 30-day  
period constitutes approval of the request for the waiver.

46  
48 **6. Waiver application.** A request for a waiver under  
subsection 4 must be submitted to the ~~Department of Economic and  
Community Development~~ commission in writing and must contain the  
50 location of the renovation, the intended use of the building and

2 the names of the owner, designer and contractor or builder. If  
3 applying for a waiver under the historic preservation provisions  
4 of subsection 4, information on the historic character of the  
5 building must be provided to the ~~eommissioner~~ commission. If  
6 applying for a waiver under the economic hardship provisions of  
7 subsection 4, information on the economic infeasibility must be  
8 provided to the ~~eommissioner~~ commission.

9  
10 **Sec. 18. 10 MRSA §1415-E, sub-§1**, as amended by PL 1991, c.  
11 824, Pt. A, §15, is further amended to read:

12 **1. Administration.** The ~~Department--of--Economic--and~~  
13 ~~Community--Development~~ commission is responsible for the  
14 administration and enforcement of the standards established in  
15 this chapter. In administering these standards, the ~~Department~~  
16 ~~of--Economic--and--Community--Development~~ commission shall:

17 A. Work cooperatively with other state, regional and local  
18 agencies interested in or affected by these standards and  
19 may, by rules promulgated in accordance with the Maine  
20 Administrative Procedure Act, Title 5, chapter 375,  
21 distribute to regional planning councils funds made  
22 available for this purpose;

23 B. Revise the Manual of Accepted Practices to incorporate  
24 these mandatory provisions and make this and other relevant  
25 publications available to the towns and cities of this  
26 State; and

27 C. Collect data from municipalities and regional planning  
28 agencies on the energy construction characteristics of the  
29 residential units built after January 1, 1989 and include an  
30 analysis of that data in its biennial energy resources plan.

31  
32 **Sec. 19. 10 MRSA §1415-F**, as amended by PL 1991, c. 824, Pt.  
33 C, §2, is further amended to read:

34  
35 **§1415-F. Manual of Accepted Practices**

36 The ~~eommissioner~~ commission shall prepare a Manual of  
37 Accepted Practices that consists of building procedures and  
38 building materials to enable builders of one-family and 2-family  
39 structures to conform to the residential standards in section  
40 1415-C.

41  
42 **Sec. 20. 10 MRSA §1415-G**, as amended by PL 2003, c. 20, Pt.  
43 RR, §8 and affected by §18, is further amended to read:

44  
45 **§1415-G. Electric heating systems; subsidized housing**

1. **Residential construction, remodeling and renovation.**

2 Except as provided in this section, during the construction,  
3 remodeling or renovation of a multifamily residential building, a  
4 person may not install electric space heating equipment as the  
5 primary heating system if that construction, remodeling or  
6 renovation is funded in whole or in part by public funds,  
7 guarantees or bond proceeds. For purposes of this section,  
8 "multifamily residential building" means a structure with more  
9 than one dwelling unit.

2. **Waiver.** After written petition from a building owner,

12 the ~~commissioner~~ commission shall grant a waiver from subsection  
13 1 if the building design conforms to the residential standards  
14 set forth in subsection 3 or 4. A waiver granted by the  
15 ~~commissioner~~ commission under this subsection must be in writing  
16 and state the ~~commissioner's~~ commission's reason for granting the  
17 waiver.

3. **Residential standards; electric heat.** If the

20 ~~commissioner~~ commission grants a waiver under subsection 2, the  
21 building owner shall renovate the building or construct a new  
22 building so that the entire building conforms to the minimum  
23 energy efficiency standards established in this section. If a  
24 waiver is granted under subsection 2 for a building to be  
25 remodeled or a building that receives an addition, only the  
26 remodeled portion of the building or the addition must conform to  
27 the following minimum energy efficiency standards.

28 A. All ceilings that face an outdoor or unheated space must  
29 be insulated to an R-value of 57 or greater.

32 B. All walls that face an outdoor or unheated space must be  
33 insulated to an R-value of 38 or greater.

34 C. All floors over unheated spaces must be insulated to an  
35 R-value of 25 or greater.

38 D. Slab-on-grade floors must have perimeter insulation of  
39 either:

40 (1) R-15 when the insulation extends downward from the  
41 top of the slab to the design frost line; or

44 (2) R-15 when the insulation extends around the  
45 perimeter and horizontally or diagonally beneath or  
46 away from the slab for a distance equivalent to the  
47 depth of the frost line.

2 E. All foundation walls adjacent to a heated space must be  
insulated from the top of the foundation to the frost line  
to an R-value of 19 or greater.

4 F. All windows and glass in doors, when the glass in the  
6 door constitutes 1/3 or more of the door area, must have a  
total window unit R-value of 2.5 or greater.

8 G. All exterior doors must be insulated or equipped with a  
10 storm door.

12 H. All new construction and renovation must comply with  
infiltration and ventilation standards established by the  
14 ~~commissioner~~ commission.

16 **4. Performance-based compliance.** ~~Effective--January--1,~~  
18 ~~1992,--the--commissioner~~ The commission may waive the requirements  
of subsection 3 for any building if the ~~commissioner~~ commission  
20 determines that the building's calculated annual energy  
consumption is not greater than the annual energy consumption of  
a similar building constructed in accordance with subsection 3.

22 ~~The commissioner~~ commission shall ~~adopt~~ implement the rules that  
24 establish a performance-based compliance procedure for  
residential buildings ~~before--January--1,--1992.~~

26 **5. Violation.** A building owner who violates this section or  
28 rules adopted under this section commits a civil violation for  
which a forfeiture of not less than \$100 nor more than 5% of the  
30 value of construction must be adjudged.

32 **6. Notification.** An agency, municipality or granting  
authority that provides a housing subsidy as described in this  
34 section must notify the ~~Public-Utilities-Commission~~ commission  
that the application complies with the residential energy  
36 requirements of this section. Notification must be in a form  
prescribed by rule by the commission.

38 **Sec. 21. 10 MRSA §1415-H, sub-§2,** as amended by PL 1999, c.  
40 657, §4, is further amended to read:

42 **2. Form.** ~~The Commissioner--of--Economic--and--Community~~  
44 ~~Development~~ commission shall develop a model certification form  
to be used by transmission and distribution utilities under  
46 subsection 1.

48 **Sec. 22. 10 MRSA c. 216,** as amended, is repealed.

50 **Sec. 23. 10 MRSA §1485,** as amended by PL 1989, c. 501, Pt.  
DD, §§26 to 28, is further amended to read:

2       **§1485. Development of insulation fact sheet**

4           ~~The Department of Economic and Community Development~~ Public  
6           Utilities Commission shall prepare, and shall keep current, an  
8           informational pamphlet concerning insulation materials being used  
10          in the State. The pamphlet shall must discuss the characteristics  
12          of these insulation materials and the positive and negative  
14          effects ~~which~~ that may result following installation of these  
16          materials. The pamphlet shall must also include, but shall is not  
18          be limited to:

20           1. **Moisture.** Information concerning moisture travel through  
22          buildings and the need for proper ventilation or the need for  
24          vapor barriers following installation of insulation;

26           2. **Safety.** Information concerning safety factors, including  
28          the flammability and toxicity of various types of insulation;

30           3. **Installation.** Guidelines for proper installation of  
32          insulation materials to avoid problems of moisture and to avoid  
34          any safety hazards;

36           4. **Installation contracts.** A narrative description of the  
38          requirements of this chapter and its provisions; and

40           5. **Other information.** Such other information as the  
42          ~~Department of Economic and Community Development~~ shall ~~deem~~  
44          Public Utilities Commission determines necessary or appropriate.

46           ~~The Department of Economic and Community Development~~ Public  
48          Utilities Commission shall furnish this pamphlet, upon request,  
50          to any citizen of this State without charge.

Every person in the State who installs insulation for  
compensation shall, prior to entering into any contract or  
agreement for the installation of insulation in any residence,  
furnish to the owner or lessee of the residence a copy of the  
pamphlet published pursuant to this section.

Any person who violates the provisions of this section shall  
be is subject to the forfeiture provisions of section 1483.

**Sec. 24. 10 MRSA §1493, first ¶**, as amended by PL 1989, c. 501,  
Pt. DD, §30, is further amended to read:

~~The Department of Economic and Community Development~~ Public  
Utilities Commission shall establish an express warranty for the  
sale and installation of solar energy equipment in Maine. This  
express warranty shall must, at a minimum, include the following:

2           **Sec. 25. 20-A MRSA §12705, sub-§1, ¶E**, as amended by PL 1995,  
c. 688, §11, is further amended to read:

4  
6           E. The Commissioner of Economic and Community Development,  
or the commissioner's ~~sueessee~~ designee, who serves as an  
8           ex officio nonvoting member;

10

## SUMMARY

12

14           This bill makes changes and updates to statutory language  
for programs overseen by the Department of Economic and Community  
16           Development. These include changing the name of the community  
industrial building program under the Maine Rural Development  
Authority, clarifying the MRDA conflict-of-interest language and  
18           modifying the financial commitment required by the MRDA of a  
municipality.

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22           The bill also transfers the statutory responsibilities of  
the Energy Conservation Division of the Department of Economic  
and Community Development, Office of Business Development to the  
Public Utilities Commission as a result of the transfer of those  
24           duties in Public Law 2003, chapter 20.