

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

vant experience with chemicals. The commissioner shall seek recommendations from the group on:

1. Development of a protocol to be utilized for the designation of priority chemicals;
2. The responsibilities, activities and proposed rules necessary to implement Title 38, chapter 16-D; and
3. Stakeholder issues of concern.

See title page for effective date.

**CHAPTER 644
S.P. 827 - L.D. 2159**

**An Act To Advance the Maine
Economy**

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

Sec. 1. 35-A MRSA §3210, sub-§5, ¶C, as amended by PL 1999, c. 372, §1 and PL 2003, c. 20, Pt. OO, §2 and affected by §4, is further amended to read:

C. Provide for a distribution of the funds to the University of Maine System, the Maine Maritime Academy or the Maine Community College System for renewable resource research and development; ~~and~~

Sec. 2. 35-A MRSA §3210, sub-§5, ¶D, as amended by PL 2007, c. 18, §1, is further amended to read:

D. Provide for a distribution of the funds to Maine-based nonprofit organizations that qualify under the federal Internal Revenue Code, Section 501(c)(3), consumer-owned transmission and distribution utilities, community-based nonprofit organizations, community action programs, municipalities, quasi-municipal corporations or districts as defined in Title 30-A, section 2351 and school administrative units as defined in Title 20-A, section 1 for community demonstration projects using renewable energy technologies; and

Sec. 3. 35-A MRSA §3210, sub-§5, ¶E is enacted to read:

E. Provide for an annual distribution of 35% of the funds to the Maine Technology Institute to support the development and commercialization of renewable energy technologies.

Sec. 4. Leadership and entrepreneurial development. The Department of Economic and Community Development, Office of Innovation shall work with the University of Maine's Student Innovation Center to develop a collaborative effort with the

Technology Institute, the Small Business Development Centers, the Department of Economic and Community Development's business development specialists, the Maine Manufacturing Extension Partnership, the Target Technology Incubator, the Maine Center for Enterprise Development and the Small Enterprise Growth Fund to design a leadership and entrepreneurial development program. The program must match up to 10 high-growth potential entrepreneurs per year with best-in-class training, resources and mentors. The program may seek outside funds from foundations, government or other sources to fund the program. The Office of Innovation shall submit a report to the joint standing committee of the Legislature having jurisdiction over business and economic development matters on the program by March 1, 2009 to the First Regular Session of the 124th Legislature. The report must include a detailed implementation plan, including, but not limited to, funding needs and recommended sources of funding.

Sec. 5. Appropriations and allocations.

The following appropriations and allocations are made.

**ECONOMIC AND COMMUNITY
DEVELOPMENT, DEPARTMENT OF**

Leadership and Entrepreneurial Development Program N042

Initiative: Provides a base allocation of \$500 in fiscal year 2008-09 in the event that outside funds are received to support the leadership and entrepreneurial development program within the Office of Innovation.

| OTHER SPECIAL REVENUE FUNDS | 2007-08 | 2008-09 |
|--------------------------------------|---------|---------|
| All Other | \$0 | \$500 |
| | \$0 | \$500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | | |

Renewable Energy Resources Fund N041

Initiative: Allocates funds transferred from the Renewable Resource Fund within the Public Utilities Commission to the Maine Technology Institute to support the development and commercialization of renewable energy technologies.

| OTHER SPECIAL REVENUE FUNDS | 2007-08 | 2008-09 |
|--------------------------------------|---------|-----------|
| All Other | \$0 | \$645,441 |
| | \$0 | \$645,441 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | | |

ECONOMIC AND
COMMUNITY
DEVELOPMENT,
DEPARTMENT OF

| | | |
|---------------------------------|---------|-----------|
| DEPARTMENT TOTALS | 2007-08 | 2008-09 |
| | | |
| OTHER SPECIAL REVENUE FUNDS | \$0 | \$645,941 |
| | | |
| DEPARTMENT TOTAL - ALL FUNDS | \$0 | \$645,941 |

See title page for effective date.

CHAPTER 645

H.P. 1627 - L.D. 2264

**An Act To Encourage Energy
Conservation by the Maine
State Housing Authority
Pursuant to the State
Government Evaluation Act
Review**

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

Sec. 1. 30-A MRSA §4722, sub-§1, ¶AA, as amended by PL 2007, c. 466, Pt. A, §50, is further amended to read:

AA. Certify transfers of multifamily affordable housing property that qualify for the deduction under Title 36, section 5122, subsection 2, paragraph Z or Title 36, section 5200-A, subsection 2, paragraph Q. The affordability restrictions that apply under this paragraph must be contained in a declaration signed by the transferee and recorded in the appropriate registry of deeds at the time of the sale or transfer.

(1) For the purposes of this paragraph, "multifamily affordable housing property" means a decent, safe and sanitary dwelling, apartment building or other living accommodation that includes at least 6 units, that meets at least one of the following affordability restrictions and for which those affordability restrictions, as applicable, expire in 10 years or less from the date of the sale or transfer of the property:

(a) At least 20% of the units have restricted rents affordable to households earning no more than 80% of the area median income as determined by the United States Department of Housing and Urban Development;

(b) The property is assisted by the United States Department of Housing and Urban Development, the United States Department of Agriculture or the Maine State Housing Authority; or

(c) The property qualifies for low-income housing credits under the United States Internal Revenue Code of 1986, Section 42.

(2) For the purposes of this paragraph, property does not qualify as multifamily affordable housing property unless:

(a) The transferee agrees to maintain the property as multifamily affordable housing property for an additional 30 years from the scheduled expiration;

(b) If the existing federal, state or other assistance is not available to maintain the property as multifamily affordable housing property, the transferee agrees to ensure that 1/2 of the units are affordable to persons at 60% of the area median income as determined by the United States Department of Housing and Urban Development for 30 years from the expiration of the then-existing affordability restrictions; or

(c) The transferee agrees to an alternative affordability agreement approved by the Maine State Housing Authority; ~~and~~

Sec. 2. 30-A MRSA §4722, sub-§1, ¶BB, as enacted by PL 2007, c. 326, §3, is amended to read:

BB. Make a loan, or contract with a financial institution to make a loan on behalf of the Maine State Housing Authority, to pay off an existing loan or to pay amounts past due on an existing loan on an owner-occupied single-family residence to assist a homeowner who is in default of the existing loan or in danger of losing the residence through foreclosure. Prior to receiving a loan under this paragraph, a homeowner must receive counseling with a 3rd-party, nonprofit organization approved by the United States Department of Housing and Urban Development, a housing financing agency of this State or the regulatory agency that has jurisdiction over the creditor; and

Sec. 3. 30-A MRSA §4722, sub-§1, ¶CC is enacted to read:

CC. Encourage and provide incentives to individuals and entities that conserve energy; support and participate, with resources derived from sources except the conservation program fund under Title 35-A, section 3211-A, subsection 5, in markets that reward energy conservation and use