## MAINE STATE LEGISLATURE

The following document is provided by the

LAW AND LEGISLATIVE DIGITAL LIBRARY

at the Maine State Law and Legislative Reference Library

http://legislature.maine.gov/lawlib



Reproduced from scanned originals with text recognition applied (searchable text may contain some errors and/or omissions)

1 2 3	(EMERGENCY) SECOND REGULAR SESSION
<b>4</b> 5	ONE HUNDRED AND ELEVENTH LEGISLATURE
6 <b>7</b>	Legislative Document No. 1997
8 9	S.P. 725 In Senate, January 24, 1984 Approved for introduction by the Legislative Council pursuant to Joint Rule 26.
10	Reference to the Committee on State Government is suggested and ordered printed.
11	JOY J. O'BRIEN, Secretary of the Senate Presented by Senator Violette of Aroostook. Cosponsored by Representative Murray of Bangor, Representative Sproul
12	of Augusta and Representative Paradis of Augusta.
13 <b>14</b>	STATE OF MAINE
15 16 17	IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-FOUR
18 19 20 21	AN ACT to Clarify the Definition of Projects Eligible for Revenue Bond Financing under the Finance Authority of Maine Act.
22 23 24	Emergency preamble. Whereas, Acts of the Legis- lature do not become effective until 90 days after adjournment unless enacted as emergencies; and
25 26	Whereas, the past session of this Legislature enacted the Finance Authority of Maine Act; and
27 28 29 30 31	Whereas, under the predecessor statute to the Finance Authority of Maine Act, projects involving the rehabilitation of existing buildings at least 50 years old were eligible for revenue bond financing; and
32 33 34 35	Whereas, these rehabilitation projects were unintentionally eliminated from the types of projects eligible under the new Finance Authority of Maine Act; and

Whereas, several rehabilitation projects were commenced under the authority of the predecessor statute, but now bonds cannot be issued for these projects; and

1 2

3

4

5

6

7

8

9

10 11

12

13

14 15

16

17 18

19

20

21

22

24

25 26

27 28 29

30

31

32

33

34

35

36

37

38

Whereas, it would be advantageous to the people of the State and state businesses to make it clear that these rehabilitation projects are eligible for revenue bond financing; and

Whereas, it is necessary to obtain clarification from the Legislature to further the economic interest of this State and the purposes of the Finance Authority of Maine Act; 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 enacted by the People of the State of Maine as follows:
- Sec. 1. 10 MRSA §1001, sub-§7, as enacted by PL 1983, c. 519, §7, is repealed and the following enacted in its place: 23
  - 7. Eligible project, subchapters III and IV. As used in subchapters III and IV, and except as provided in paragraph A, a project is an "eligible project" if it is a type of project for which the proceeds of the revenue obligation securities may be expended without causing the interest on the securities to lose its exemption from federal income taxation under the United States Internal Revenue Code, Section 103.
  - Unless it is a reconstruction of an existing building project within the meaning of subsection 26, eligible projects shall not include:
    - (1) Facilities whose principal function the operation of one or more retail stores; or

1	(2) Office buildings,	unless the office
2	building contains more	than 30,000 square
3	feet of space and it is	reasonably antici-
4	pated at the time the pro	oject is approved by
5	the authority that at	least 1/2 of the em-
6	ployees initially occupy:	ing the office space
7	will represent new jobs :	in the community.

- Sec. 2. 10 MRSA §1041, sub-§1, as repealed and replaced by PL 1983, c. 519, §14, is repealed and the following enacted in its place:
- 1. Kinds of projects. Acquire, construct, reconstruct, maintain, renew and replace, or provide financing for eligible projects or assist a user to acquire, construct, reconstruct, renew and replace eligible projects;
- Sec. 3. 10 MRSA §1061, sub-§1, as repealed and replaced by PL 1983, c. 519, §17, is repealed and the following enacted in its place:
- 19 1. Kinds of projects. Acquire, construct, reconstruct, renew and replace, or provide financing for, eligible projects, or assist a user to acquire, renew and replace eligible projects;
  - Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

## 26 STATEMENT OF FACT

This bill clarifies the definition of projects eligible for revenue bond financing under the Finance Authority of Maine Act. This is necessary because the bill creating the Finance Authority of Maine Act, enacted during the First Regular Session of the One Hundred and Eleventh Legislature, inadvertently and unintentionally eliminated rehabilitation projects from this definition of eligible projects. These projects were previously eligible for revenue bond financing and the change shall be made in order to permit the issuance of bonds for projects which were

1	appr	roved	ur	ıder	the	old	leg	gislation	as	well	as	to	per-
2	mit	futu	re	pro	jects	s to	be	financed					_

3 5168120783