

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 671

6
7 S.P. 262

In Senate, February 26, 1985

8 Reference to the Committee on State Government suggested and ordered
9 printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Kany of Kennebec.

11 Cosponsored by Representative Gwadosky of Fairfield, Representative
Crowley of Stockton Springs and Senator Andrews of Cumberland.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT Creating a Department of Maine's
18 Economic Future.
19

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

22 Sec. 1. 2 MRSA §6, sub-§1, as amended by PL
23 1983, c. 553, §46, is further amended to read;

24 1. Range 91. The salaries of the following
25 state officials and employees shall be within salary
26 range 91:

27 Commissioner of Transportation;

28 Commissioner of Conservation;

29 ~~Director of State Development Office;~~

30 Commissioner of Finance and Administration;

31 Commissioner of Educational and Cultural Ser-
32 vices;

1 Commissioner of Environmental Protection;
2 Commissioner of Human Services;
3 Commissioner of Mental Health and Mental Retarda-
4 tion;
5 Commissioner of Public Safety;
6 Commissioner of Business, Occupational and Pro-
7 fessional Regulation;
8 Commissioner of Labor;
9 Commissioner of Personnel;
10 Commissioner of Agriculture, Food and Rural Re-
11 sources;
12 Commissioner of Inland Fisheries and Wildlife;
13 Commissioner of Marine Resources; and
14 Commissioner of Corrections; and
15 Commissioner of Maine's Economic Future.

16 Sec. 2. 2 MRSA §6, sub-§3, as repealed and re-
17 placed by PL 1981, c. 705, Pt. L, §§1 to 3, is
18 amended to read:

19 3. Range 89. The salaries of the following
20 state officials and employees shall be within salary
21 range 89:

22 State Director of Public Improvements;
23 State Budget Officer;
24 State Controller;
25 Director of the Bureau of Forestry;
26 Chief of the State Police;
27 Director, State Planning Office;

1 Director, Energy Resources Office;
2 Public Advocate; and
3 Director, State Development Office;
4 Director, Bureau of Vocational-technical Insti-
5 tutes; and
6 Commissioner of Defense and Veterans' Services.

7 Sec. 3. 2 MRSA §6, sub-§4, as repealed and re-
8 placed by PL 1981, c. 705, Pt. L, §§1 to 3, is
9 amended to read:

10 4. Range 88. The salaries of the following
11 state officials and employees shall be within salary
12 range 88:

13 State Purchasing Agent;
14 Director, Arts and Humanities Bureau;
15 Director, State Museum Bureau;
16 Director of the Bureau of Parks and Recreation;
17 State Director of Alcoholic Beverages;
18 Executive Director, Retirement System;
19 Director of Public Lands; and
20 State Librarian; and
21 Director, Bureau of Community Development.

22 Sec. 4. 5 MRSA §943-A is enacted to read:

23 §943-A. Department of Maine's Economic Future

24 1. Major policy-influencing positions. The fol-
25 lowing positions are major policy-influencing posi-
26 tions within the Department of Maine's Economic Fu-
27 ture. Notwithstanding any other provisions of law,
28 these positions and their successor positions shall
29 be subject to this chapter:

1 A. Assistant to the Commissioner;

2 B. Director, State Development Office;

3 C. Director, Bureau of Vocational-technical In-
4 stitutes; and

5 D. Director, Bureau of Community Development.

6 Sec. 5. 5 MRSA §3305, sub-§1, ¶I, as enacted by
7 PL 1981, c. 702, Pt. Y, Sub-Pt. 3, is repealed.

8 Sec. 6. 5 MRSA c. 361, as amended, is repealed.

9 Sec. 7. 5 MRSA §12004, sub-§8, ¶A, sub-¶(2-A) is
10 enacted to read:

11 (2-A) Economic Commission on Expenses 10 MRSA §10064
12 Development Vocational-tech- Only
13 nical Institutes

14 Sec. 8. 10 MRSA §964, sub-§1, as enacted by PL
15 1983, c. 519, §6, is amended to read:

16 1. Finance Authority of Maine. The Finance Au-
17 thority of Maine within the Department of Maine's Ec-
18 onomic Future is established as a body corporate and
19 politic and a public instrumentality of the State,
20 and the exercise by the authority of the powers con-
21 ferred by this chapter shall be deemed and held to be
22 the performance of essential governmental functions.

23 The Finance Authority of Maine shall be responsible
24 for the administration of the:

25 A. Mortgage Insurance Program;

26 B. Revenue Obligation Securities Program;

27 C. Municipal Securities Approval Program;

28 D. Maine Small Business Loan Program;

29 E. Maine Veterans' Small Business Loan Program;
30 and

31 F. Natural Resources Financing and Marketing
32 Programs.

1 Sec. 9. 10 MRSA §969, sub-§5, as enacted by PL
2 1983, c. 519, §6, is amended to read:

3 5. Employees. The authority may employ a ~~chief~~
4 ~~executive officer~~ and other staff, who shall be
5 bonded to limits set by the authority. Before the
6 issuance of any bonds or notes under this chapter,
7 each employee of the authority shall execute a surety
8 bond in the penal sum required by the authority, each
9 such surety bond to be conditioned upon the faithful
10 performance of the duties of the office of each such
11 employee, to be executed by a surety company autho-
12 rized to transact business in the State as surety and
13 to be approved by the Attorney General and filed in
14 the office of the Secretary of State. At all times
15 after the issuance of any bonds or notes by the au-
16 thority, each employee of the authority shall main-
17 tain those surety bonds in full force and effect. All
18 costs of surety bonds shall be borne by the authori-
19 ty. Private legal counsel and other technical and fi-
20 nancial experts, on either a temporary or permanent
21 basis, may also be employed. The authority shall de-
22 termine the qualifications, duties and compensation
23 of its employees who shall not be subject to Title 5,
24 chapters 57 and 59. The authority may establish stan-
25 dards pursuant to which it may delegate its powers
26 and duties to its staff;

27 Sec. 10. 10 MRSA §972, first ¶, as enacted by PL
28 1983, c. 519, §6, is amended to read:

29 The chief executive officer shall be the chief
30 administrative officer of the authority and shall be
31 appointed by the ~~Governor~~ Commissioner of Maine's Eco-
32 nomi Future as provided in chapter 1003, subject to
33 review by the joint standing committee of the Legis-
34 lature having jurisdiction over the State Government
35 and to confirmation by the Legislature. At least 10
36 days before the ~~Governor~~ Commissioner of Maine's Eco-
37 nomi Future seeks review by the joint standing com-
38 mittee, he shall consult with the Maine Finance Au-
39 thority Board regarding his proposed appointee.

40 Sec. 11. 10 MRSA c. 1003 is enacted to read:

41 CHAPTER 1003

1 DEPARTMENT OF MAINE'S ECONOMIC FUTURE

2 SUBCHAPTER I

3 DEPARTMENT OF MAINE'S ECONOMIC FUTURE

4 §10011. Department; agencies within department

5 There is created and established the Department
6 of Maine's Economic Future, in this chapter referred
7 to as the "department," to coordinate the business
8 assistance services and programs and the economic de-
9 velopment programs of the State, to foster economic
10 growth and development and to provide opportunities
11 for individuals to meet their employment potential.

12 1. Organization. The department shall consist
13 of the following:

14 A. Finance Authority of Maine as defined in
15 chapter 110;

16 B. Bureau of Vocational-technical Institutes;

17 C. State Development Office; and

18 D. Bureau of Community Development to include
19 the:

20 (1) Municipal Bond Bank; and

21 (2) Community Development Block Grant Pro-
22 gram.

23 §10012. Commissioner of department

24 The chief administrative officer of the depart-
25 ment shall be the commissioner, who shall be ap-
26 pointed by the Governor, subject to review by the
27 joint standing committee of the Legislature having
28 jurisdiction over State Government and to confirma-
29 tion by the Legislature. The commissioner shall
30 serve at the pleasure of the Governor.

31 §10013. Duties of the commissioner

1 As the chief administrative officer of the de-
2 partment, the commissioner shall have the following
3 duties and authority to:

4 1. Prepare department budget. Prepare the bud-
5 get for the department;

6 2. Transfer personnel. Transfer personnel with-
7 in the department to insure efficient use of depart-
8 ment personnel;

9 3. Purchase supplies. Coordinate the purchase
10 and use of all supplies and equipment within the de-
11 partment;

12 4. Review department functions. Review the
13 functions and operations of the agencies and bureaus
14 within the department to assure that overlapping
15 functions and operations are eliminated;

16 5. Coordinate programs. Coordinate programs of
17 the organizations and bureaus within the department
18 with Federal Government programs and activities;

19 6. Liaison among state agencies. Serve as a li-
20 aison among the agencies within the department and
21 with other agencies of the State;

22 7. Liaison with regional development organiza-
23 tions. Serve as a liaison of the department with the
24 several regional economic development and planning
25 organizations within the State;

26 8. Prepare and distribute publications. Prepare
27 and update annually, for distribution, the following
28 publications:

29 A. A description of each of the several business
30 assistance programs provided by the department to
31 include qualifications for applicants, types of
32 services provided, total money available for each
33 program in the most recent previous fiscal year
34 and projected program money for the ensuing fis-
35 cal year and any other information deemed signif-
36 icant by the commissioner;

1 B. A description of each of the economic devel-
2 opment programs of the department to include the
3 differences that distinguish one program from an-
4 other;

5 C. A list of the municipalities which, in the
6 previous fiscal year, were recipients of business
7 assistance money, economic development money and
8 community development money. The list shall pro-
9 vide the total sum of money in each category pro-
10 vided to each municipality; and

11 D. A description of the business assistance and
12 economic development programs and services pro-
13 vided by each regional economic development or
14 planning organization within the State, the total
15 economic development and business assistance mon-
16 ey provided to municipalities and businesses by
17 each regional organization in the last fiscal
18 year and any other information deemed signifi-
19 cant;

20 9. Develop policies and procedures. Develop po-
21 licies and procedures for the department and the de-
22 partment agencies keeping in mid the authority, and
23 duties of any board provided by statute with policy-
24 making authority over any bureau or organization
25 within the department;

26 10. Appoint administrative personnel. Appoint
27 the administrators and directors of the bureaus and
28 organizations of the department. The commissioner
29 shall appoint, to serve at his pleasure, the follow-
30 ing:

31 A. Chief executive officer of the Finance Au-
32 thority of Maine;

33 B. Director of the Bureau of Vocational-techni-
34 cal Institutes;

35 C. Director of the State Development Office; and

36 D. Director of the Bureau of Community Develop-
37 ment;

1 11. Hire staff. Appoint, in accordance with the
2 Personnel Law, Title 5, chapters 57 and 59, addition-
3 al staff necessary for the efficient operation of the
4 department and in accordance with subchapters II,
5 III, IV and V;

6 12. Adopt rules. Adopt rules, in accordance
7 with the Maine Administrative Procedure Act, Title 5,
8 chapter 375, for the administration of this chapter
9 and the department;

10 13. Appoint assistant to the commissioner. Ap-
11 point an assistant to the commissioner to serve at
12 his pleasure; and

13 14. Establish a focus or direction. Establish a
14 focus or direction to economic growth and development
15 activities of state agencies and present any neces-
16 sary legislation to the Legislature to implement a
17 focused economic development and growth plan.

18 SUBCHAPTER II

19 STATE DEVELOPMENT OFFICE

20 §10021. State Development Office; purpose

21 The State Development Office, a bureau within the
22 Department of Maine's Economic Future, shall be re-
23 sponsible for the creation of job opportunities by
24 encouraging and assisting the expansion and improve-
25 ment of both new and existing economic activities
26 within the State.

27 §10022. Director

28 The Director of the State Development Office
29 shall be appointed by and serve at the pleasure of
30 the commissioner.

31 1. Powers and duties. The director shall have
32 the following powers and duties to:

33 A. Appoint and remove the staff of the office
34 and prescribe their duties as may be necessary to
35 implement the purposes of this chapter. Profes-
36 sional employees authorized by this chapter shall

1 serve at the pleasure of the director. All other
2 employees shall be subject to the state civil
3 service system;

4 B. Employ or engage such outside technical or
5 professional consultants as may be necessary or
6 appropriate to assist the office in carrying out
7 its functions, and enter into contracts with oth-
8 er boards, commissions, departments and divisions
9 of the State or with the University of Maine to
10 assist him in carrying out his duties under this
11 chapter;

12 C. Consult with the several officers, boards,
13 commissions, departments and agencies of the
14 State and political subdivisions of the State
15 which mutually shall share information and make
16 available the data and information within the
17 knowledge or control of each organization and mu-
18 nicipality. The director shall work closely and
19 cooperate with the Finance Authority of Maine,
20 the Maine Geological Survey, the Director of the
21 Bureau of Vocational-technical Institutes, the
22 Director of the Bureau of Community Development,
23 the Maine Development Foundation, the Director of
24 the State Planning Office, the Maine
25 Vacation-travel Commission and relevant federal
26 agencies;

27 D. Implement a program designed to promote and
28 attract new industry to the State, expand exist-
29 ing economic activities in the State and help ex-
30 isting businesses to find both domestic and for-
31 oreign markets for their products. Such a develop-
32 ment program may include coordination of activi-
33 ties between the public and private sectors, in-
34 cluding assistance to local communities in their
35 development efforts, extension of technical as-
36 sistance to new and existing industries seeking
37 expansion within the State and utilization of
38 trade missions, exhibits, brochures, technical
39 assistance and expertise as may be necessary to
40 develop and promote economic and job opportuni-
41 ties within the State;

42 E. Implement a program designed to promote tour-
43 ism and to attract tourists to the State, expand

1 existing tourist activities within the State and
2 help existing tourism-related businesses to at-
3 tract tourists for their facilities. The tourism
4 program may include coordination of activities
5 between the public and private sectors, including
6 assistance to local communities in their develop-
7 ment efforts, extension of technical assistance
8 to new and existing tourism-related industries
9 seeking expansion within the State and utiliza-
10 tion of trade missions, exhibits, brochures,
11 technical assistance and expertise as may be nec-
12 essary to develop and promote tourism and tourist
13 activities within the State. He shall make recom-
14 mendations to the Commissioner of Maine's Econom-
15 ic Future and the Commissioner of Transportation
16 on the location of kiosks and manned information
17 centers and will staff or cause to be staffed any
18 such center built by the Department of Transpor-
19 tation, leased or acquired by the State;

20 F. Provide grants for market development from
21 appropriations therefor to any municipality or
22 group of municipalities which have received a
23 grant of authority from the Federal Government to
24 establish a foreign trade zone, provided that:

25 (1) No municipality or group of municipali-
26 ties may be granted amounts totaling more
27 than \$20,000 under this chapter; and

28 (2) The municipality or group of municipal-
29 ities shall, during the state fiscal year
30 during which any grant expenditure is made,
31 expend from its own appropriated funds a
32 matching amount, equal to or greater than
33 the amount expended from the grant, for mar-
34 ket development. "Market development" means
35 any activity to encourage use of the trade
36 zone, or of its sections or subzones where
37 they may be located in Maine communities
38 away from the main zone;

39 G. Apply, with the approval of the commissioner,
40 for foreign trade zone designations.

41 (1) The director may, on behalf of the
42 State, make applications to the Foreign

1 Trade Zone Board and establish foreign trade
2 zones that are to be located on state-owned,
3 leased or otherwise controlled property. A
4 municipality or group of municipalities may,
5 with the approval of the department, make
6 applications to the Foreign Trade Zone Board
7 and establish foreign trade zones at other
8 locations. Foreign trade zones shall be es-
9 tablished in or adjacent to any ports of en-
10 try in the State, where personal property in
11 transit shall be exempt from the stock-
12 in-trade tax and such other taxes and cus-
13 tomms as are normally levied in a port of en-
14 try.

15 (2) Any development or activity with a for-
16 ign trade zone established in the State is
17 subject to the laws which the Department of
18 Environmental Protection, Department of Con-
19 servation, Department of Marine Resources
20 and Department of Inland Fisheries and Wild-
21 life are responsible for administering, as
22 well as any other law which protects the en-
23 vironment.

24 (3) For the purpose of this paragraph, per-
25 sonal property in transit through the areas
26 established under subparagraph (1) is de-
27 finid as follows: Goods, wares and merchan-
28 dise moving in interstate or international
29 commerce through these zones, or which were
30 consigned to a warehouse, public or private,
31 within these zones, whether specified when
32 transportation begins, or afterward. This
33 property shall not be deprived of exemption
34 because, while in the warehouse, the proper-
35 ty is assembled, bound, joined, processed,
36 disassembled, divided, cut, broken in bulk,
37 reabeled or repackaged. The exemption
38 granted shall be liberally construed to ef-
39 fect the purposes of this paragraph. The
40 warehouse in which these goods, wares or
41 merchandise are stored shall not be owned,
42 in whole or in part, by either the consignee
43 or consignor. This subparagraph does not ap-
44 ply to agricultural products.

1 H. Work with the Maine Aid to Families with De-
2 pendent Children Coordinating Committee for the
3 purpose of developing, promoting and identifying
4 employment opportunities for recipients of Aid to
5 Families with Dependent Children consistent with
6 the policy and intent of Title 22, chapter 1054;

7 I. Implement a program designed to assist new
8 and expanding economic activities in satisfying
9 the regulatory requirements of the State. This
10 program includes provisions to identify regula-
11 tory requirements for businesses that request the
12 assistance, and to coordinate issuance of li-
13 censes and permits by state agencies;

14 J. Provide financial and technical assistance to
15 local development corporations to create communi-
16 ty industrial buildings in industrial parks; and

17 K. Implement a program to identify goods manu-
18 factured in the State under a "Product of Maine"
19 designation. This program shall also include ag-
20 ricultural, marine, mineral and forestry products
21 processed in the State, but shall remain separate
22 and distinct from the blue, white and red identi-
23 fication promulgated by the Commissioner of Agri-
24 culture, Food and Rural Resources.

25 A product shall qualify for this designation upon
26 submission by the manufacturer or final processor
27 of a signed affidavit which attests that the
28 product is in fact manufactured in the State or
29 receives final assembly or processing in the
30 State. This affidavit shall be submitted to the
31 director who shall then grant permission for use
32 of the "Product of Maine" designation, and who
33 shall withdraw the permission upon finding that
34 the contents of the affidavit are false. The di-
35 rector may also withdraw the permission if it
36 comes to his attention that the product is
37 misabeled in a manner which is deceiving to the
38 purchaser.

39 The mere packaging of a product within the State
40 shall not be deemed sufficient for inclusion un-
41 der the "Product of Maine" label.

1 The director shall, as the funds become availa-
2 ble, promote consumer recognition of the "Product
3 of Maine" designation and shall encourage the use
4 of this designation by manufacturers.

5 §10023. Tourism promotion and information services

6 1. Division of Tourism. There is established, to
7 carry out the purposes of this section, a Division of
8 Tourism, called the "division," within the State De-
9 velopment Office, which shall be directly responsible
10 to the Director of the State Development Office.

11 2. Director. The director and staff of the Di-
12 vision of Tourism shall be appointed by the Director
13 of the State Development Office and shall serve at
14 his pleasure. The director and staff of the Division
15 of Tourism shall be paid a salary fixed by the Direc-
16 tor of the State Development Office.

17 3. Powers and duties. The division shall:

18 A. Conduct travel product planning and research
19 to determine market demand, prepare marketing,
20 promotion and advertising strategies, prepare a
21 travel product development plan, determine the
22 feasibility of travel facility development pro-
23 posals, develop and implement a comprehensive
24 travel product information system and evaluate
25 the impact of travel product programs and grants;

26 B. Implement advertising and promotion programs
27 to market this state's travel product;

28 C. Print, or cause to have printed, alone or in
29 cooperation with other travel promotion agencies
30 and groups, booklets, brochures, pamphlets and
31 other materials as required to fulfill requests
32 for information on Maine's travel product;

33 D. Encourage the development of travel product
34 facilities and activities by locating potential
35 developers, providing market and feasibility
36 analysis, assisting developers in complying with
37 public rules and laws and providing technical as-
38 sistance to location decision making, including
39 site selection, financing and utilities;

- 1 E. Review and comment upon the policies and pro-
2 grams of state agencies which directly affect the
3 achievement of the duties and responsibilities of
4 the division;
- 5 F. Provide basic support and discretionary
6 matching grants to local, regional and statewide
7 nonprofit agencies which directly affect the
8 achievement of the duties and responsibilities of
9 the division;
- 10 G. Staff or cause to be staffed any information
11 center constructed, owned, leased, acquired or
12 operated by the State;
- 13 H. Employ or engage such outside technical or
14 professional consultants or organizations as may
15 be necessary or appropriate to assist the divi-
16 sion in carrying out its functions;
- 17 I. Accept such fees as the Director of the State
18 Development Office may designate for the prepara-
19 tion and distribution of books, booklets, bro-
20 chures, pamphlets, films, photos, maps, exhibits,
21 mailing lists, all like materials and media ad-
22 vertising. There is established within the divi-
23 sion a revolving fund for the use of the division
24 to help offset the preparation and distribution
25 costs of these materials. The division shall re-
26 tain, without charge, an appropriate number of
27 each publication for complimentary distribution.
28 Income from the sale of publications and other
29 materials that were charged to the revolving fund
30 shall be credited to the revolving fund to be
31 used as a continuing carrying account to carry
32 out the purposes of the revolving fund;
- 33 J. Subject to the approval of the Director of
34 the State Development Office, adopt, amend and
35 repeal rules to carry out the purposes of this
36 subsection and section 10025; and
- 37 K. Undertake such other activities as the Direc-
38 tor of the State Development Office considers ap-
39 propriate and necessary to insure the successful
40 implementation of this section.

1 §10024. Maine Vacation-travel Commission

2 1. Maine Vacation-travel Commission. The Maine
3 Vacation-travel Commission, authorized by section
4 12004, subsection 10, shall assist, advise, recommend
5 and guide the Division of Tourism's operation. It
6 shall consist of 9 members of major tourism trade as-
7 sociations and 8 public members who shall represent
8 their respective regions and who are experienced in
9 the field or who have demonstrated a concern for the
10 travel industry. The terms of the members shall be 4
11 years each, except for the members first appointed, 4
12 shall be appointed for a term of 4 years, 4 for 3
13 years, 4 for 2 years and 5 for one year. The members
14 shall be appointed by the Governor, who shall fill
15 any vacancies in the appointed membership for the un-
16 expired term. The commissioner or director, or his
17 designee, of the following state departments or of-
18 fices shall serve as ex officio, nonvoting members of
19 the commission: State Development Office; State Plan-
20 ning Office; Department of Conservation; Department
21 of Transportation; Department of Inland Fisheries and
22 Wildlife; Department of Agriculture, Food and Rural
23 Resources; Department of Educational and Cultural
24 Services; Bureau of Public Improvements and Canadian
25 Affairs Coordinator. A chairman and vice-chairman
26 shall be elected annually from the appointed member-
27 ship.

28 2. Powers and duties. The commission shall:

29 A. Recommend rules for the implementation of
30 section 10025 and make recommendations on the
31 award of matching funds to the Director of the
32 State Development Office;

33 B. Recommend policy guidelines on marketing,
34 promotion and advertising strategies to the Divi-
35 sion of Tourism;

36 C. Conduct public hearings as necessary to ob-
37 tain input concerning tourism policy development
38 from a broad cross section of travel interests;

39 D. Assist the Division of Tourism in providing
40 technical assistance to the travel industry and
41 in planning and conducting periodic tourism con-
42 ferences;

1 E. Prepare a report for annual submission to the
2 Governor and the Legislature relative to the pro-
3 grams, policies and accomplishments of the Maine
4 Vacation-travel Commission; and

5 F. Assist the Division of Tourism in such other
6 areas as the Director of the State Development
7 Office considers appropriate and necessary to in-
8 sure the successful implementation of this sec-
9 tion.

10 3. Compensation. Commissioners shall be compen-
11 sated as provided by Title 5, chapter 379.

12 §10025. Travel Promotion Matching Fund Program

13 1. Statement of purpose. There is established a
14 Travel Promotion Matching Fund Program to serve the
15 following purposes:

16 A. To allow the State to provide part of the
17 funds necessary for public and private nonprofit
18 travel promotion organizations to conduct promo-
19 tion programs;

20 B. To strengthen the state image by coordinating
21 the promotional efforts of the private sector and
22 the Division of Tourism of the State Development
23 Office.

24 2. Allocation of funds. Within the limits of
25 available funding, for every dollar raised by the
26 private sector for travel promotion under the provi-
27 sions of this section, the State shall provide one
28 dollar in matching funds. No grant may exceed the
29 amount raised by the organization and applied to its
30 proposed program. It is not the intent of this sec-
31 tion to reduce any organization's financial partici-
32 ipation in any ongoing project, but rather to increase
33 them or develop new programs. The grant program shall
34 be geared to specific promotional efforts and costs
35 and is not intended to match any administrative
36 costs, including any form of personal services.

37 3. Eligible organizations. Matching funds shall
38 be made available to those nonprofit travel promotion
39 organizations which best meet the purposes of this

1 section. No such organization may disburse state
2 matching funds to a private, for profit, business for
3 the purpose of promoting its goods, services, func-
4 tions or activities.

5 4. Administration. The State Development Office,
6 through the Division of Tourism shall administer the
7 Travel Promotion Matching Fund Program with such
8 flexibility as to bring about the most effective and
9 economical travel promotion program possible. Appli-
10 cations from all regions of the State shall be equal-
11 ly considered. The Maine Vacation-travel Commission
12 shall recommend rules and procedures necessary and
13 appropriate to the proper operation of the Travel
14 Promotion Matching Fund Program. These rules shall
15 establish eligibility requirements, allocation formu-
16 las, application procedures and criteria subject to
17 the final approval of the Director of the State De-
18 velopment Office. The Maine Vacation-travel Commis-
19 sion shall establish a schedule for review of grant
20 applications and make timely recommendations of grant
21 awards to the Division of Tourism. Grants recom-
22 mended by the commission to the division must be ap-
23 proved by the Director of the State Development Of-
24 ice prior to any disbursement of funds.

25 5. Bookkeeping systems. The State Development
26 Office and all tourist promotion organizations quali-
27 fying for matching funds under this section shall
28 keep accurate records of any applications, transac-
29 tions, payment receipts and correspondence relating
30 to the implementation of the Travel Promotion Match-
31 ing Fund Program.

32 A. The State Development Office, with the advice
33 of the Department of Finance and Administration,
34 shall establish a standard accounting procedure
35 to be used by any organization receiving money
36 under this section.

37 B. The records of any organization pertaining to
38 accounts and contracts funded with money under
39 this section shall be open to audit by the State
40 or by any firm employed by the State to audit
41 these records.

1 6. Reimbursement procedures. Upon receipt in
2 writing of satisfactory evidence of program progress
3 and funds expended or committed, the Division of
4 Tourism shall reimburse the organization according to
5 a matching funds contract. Within 60 days of comple-
6 tion of the program, each grant recipient shall pro-
7 vide the Division of Tourism with the following:

8 A. A completed program evaluation report on a
9 form supplied by the Division of Tourism;

10 B. Copies of all advertisements purchased;

11 C. Samples of any promotion material used in the
12 program; and

13 D. Any other information requested by the Divi-
14 sion of Tourism.

15 No additional matching funds may be awarded to an or-
16 ganization until the provisions of this subsection
17 have been met.

18 §10026. Appropriation

19 The Legislature shall annually appropriate from
20 the General Fund to the State Development Office the
21 sums necessary to implemen the programs established
22 by the Division of Tourism and to operate the Travel
23 Promotion Matching Fund Program. Unexpended funds
24 shall not lapse, but shall be carried forward.

25 §10027. Report to Legislature

26 The State Development Office, by January 15th,
27 shall provide a progress and accounting report on the
28 tourist industry of Maine and the effect of this in-
29 dustry on the State to the joint standing committee
30 of the Legislature having jurisdiction over State
31 Government.

32 SUBCHAPTER III

33 COMMUNITY INDUSTRIAL BUILDINGS PROGRAM

34 §10031. Definitions

1 As used in this subchapter, unless the context
2 otherwise indicates, the following terms have the
3 following meanings.

4 1. Carrying costs. "Carrying costs" means rea-
5 sonable costs incurred for the maintenance, protec-
6 tion and security of a community industrial building
7 prior to occupancy, including, but not limited to,
8 insurance, taxes and interest.

9 2. Community industrial building. "Community in-
10 dustrial building" means a building of flexible de-
11 sign whose construction or carrying costs, or both,
12 are financed through this subchapter for the purpose
13 of creating new jobs in a municipality resulting from
14 the sale or lease of the building.

15 3. Industrial park. "Industrial park" means an
16 area of land that is planned and designed for one or
17 more industrial buildings.

18 4. Lease. "Lease" means a contract providing
19 for the use of a project or portions of a project for
20 a term of years for a designated or determinable
21 rent. A lease may include an installment sales con-
22 tract.

23 5. Lessee. "Lessee" means a tenant under lease
24 and may include an installment purchaser.

25 6. Local development corporation. "Local devel-
26 opment corporation" means any nonprofit organization
27 created by a municipality, incorporated under Title
28 13, chapter 81, Title 13-B or otherwise chartered by
29 the State and designed to foster, encourage and as-
30 sist the settlement or resettlement of industrial,
31 manufacturing, fishing, agricultural, recreational
32 and other business enterprises within the State. A
33 majority vote of the municipal officers is sufficient
34 to form a local development corporation, notwith-
35 standing Title 13, chapter 81.

36 7. Municipality. "Municipality," as used in
37 this subchapter, means any county, city or town in
38 the State.

1 8. Rural area. "Rural area" means any area that
2 is not an urban area as defined in this subchapter.

3 9. Urban area. "Urban area" means any municipi-
4 ality with a population greater than 10,000 persons.

5 §10032. Community Industrial Buildings Fund

6 1. Creation. The Community Industrial Buildings
7 Fund is created as a nonlapsing revolving fund to be
8 used by the State Development Office only for the
9 purposes of this subchapter. There is created within
10 the fund separate accounts for rural and urban areas,
11 respectively called the "rural" and "urban" accounts,
12 which shall be separately charged and credited as
13 provided under this section according to the location
14 in a rural or urban area of each community industrial
15 building.

16 2. Items charged or credited. Operating ex-
17 penditures of the State Development Office incurred under
18 this subchapter shall be charged to the fund and all
19 payments required by this subchapter shall be credited
20 to it. All State Development Office expenses
21 that arise out of assistance to local development
22 corporations under this subchapter shall be charged
23 solely against the proceeds of the sale or rental of
24 a community industrial building or all or part of an
25 industrial park assisted under this subchapter.

26 3. Deposited funds. Money in the fund not cur-
27 rently needed to meet the obligations of the State
28 Development Office under this subchapter shall be de-
29 posited with the Treasurer of State to the credit of
30 the fund with all interest earned by the deposit
31 credited to the fund.

32 4. Successor to fund. The State Development Of-
33 fice shall be the successor to the Maine Guarantee
34 Authority for the purposes of this subchapter. All
35 properties, rights in land, buildings and equipment
36 and any funds, money, revenues and receipts or assets
37 of the Maine Guarantee Authority as they apply to the
38 Community Industrial Buildings Program, including
39 funds previously appropriated by the State for the
40 Community Industrial Buildings Program, shall belong
41 to the State Development Office as successor to the

1 Maine Guarantee Authority. All liabilities of the
2 Maine Guarantee Authority with respect to the Commu-
3 nity Industrial Buildings Program shall become lia-
4 abilities of the State Development Office. Any action
5 taken by the Maine Guarantee Authority with respect
6 to assisting a local development corporation to cre-
7 ate community industrial buildings shall be an action
8 taken by the State Development Office.

9 §10033. Assistance to development corporations

10 The State Development Office may assist a local
11 development corporation to construct a community in-
12 dustrial building by loaning it money, for construc-
13 tion or carrying costs, or both, for the project,
14 subject to subsection 1.

15 1. Project. The following conditions apply to
16 the project.

17 A. The project shall be within the scope of this
18 subchapter, shall be of public use and benefit
19 and shall reasonably be expected to create new
20 employment opportunities.

21 B. Within the separate rural and urban accounts,
22 preference shall be given to projects in economi-
23 cally deprived areas within labor market dis-
24 tricts declared to be in need of economic devel-
25 opment assistance by the Department of Labor; and

26 C. No more than one unoccupied community indus-
27 trial building project may be financed in a coun-
28 ty at one time.

29 2. Local development corporation. The local de-
30 velopment corporation shall comply with the follow-
31 ing.

32 A. The local development corporation shall own
33 or hold on long-term lease the site for the
34 project.

35 B. The local development corporation, in the
36 opinion of the State Development Office, shall be
37 responsible and shall present evidence of its
38 ability to carry out the project as planned.

1 C. The site owned or leased by the local devel-
2 opment corporation shall be not less than 4 times
3 the size of the community industrial building.

4 D. The local development corporation shall pro-
5 vide and maintain, with funds other than those
6 provided by the State Development Office, an ade-
7 quate access road from a public highway to the
8 proposed site and water, sewer and power facili-
9 ties. The development corporation will also be
10 responsible for plowing out the plant site at all
11 times and for landscaping the building in an at-
12 tractive fashion until the building is occupied
13 by an industrial tenant.

14 E. The local development corporation's project
15 plans shall comply with applicable zoning, plan-
16 ning and sanitary regulations in the municipality
17 where it is to be located. No loan may be ap-
18 proved and no certificate of approval for the
19 project or for any subsequent enlargement or ad-
20 dition to the project may be issued until the De-
21 partment of Environmental Protection has certi-
22 fied to the State Development Office that all li-
23 licenses required from the department have been is-
24 sued or that none are required.

25 F. The local development corporation shall make
26 adequate provisions for insurance protection,
27 fire protection and maintenance of the building
28 while it is unoccupied.

29 3. Loan terms. Terms for a loan are as follows.

30 A. The State Development Office may prescribe
31 the terms and conditions of the loan.

32 B. Loans shall be repaid in full, including in-
33 terest and other charges, within 90 days after
34 the building is occupied.

35 C. The building financed by a State Development
36 Office loan may not be sold or leased without the
37 express approval of the State Development Office
38 of the purchaser or lessee. If the local develop-
39 ment corporation and the State Development Office
40 agree that a community industrial building is un-

1 likely to be sold in the near future despite a
2 marketing effort, the State Development Office
3 may permit an interim lease upon terms it deems
4 appropriate for the protection of the fund. Occu-
5 pation of the premises under an interim lease
6 shall not require payment in full of the entire
7 loan within 90 days, as provided in paragraph B.

8 4. Promotion and development. The State Devel-
9 opment Office shall undertake promotional and public-
10 ity activities on behalf of community industrial
11 buildings to properly market them to prospective pur-
12 chasers or tenants. The office shall maintain a con-
13 stant and continual effort to secure suitable tenants
14 or purchasers for these buildings and shall prepare
15 necessary advertising and promotional materials.

16 5. Taxes. While the community industrial build-
17 ing remains unoccupied and a first mortgage is held
18 by the State Development Office, it is declared to be
19 property held for a legitimate public use and benefit
20 and shall be exempt from all taxes and special as-
21 sessments of the State or any of its political subdivi-
22 sions. This section does not apply to any community
23 industrial building whose construction is not fi-
24 nanced under this chapter.

25 6. Municipality. A municipality may raise or
26 appropriate money supporting and guaranteeing the ob-
27 ligation of a chamber of commerce, a board of trade,
28 a local development corporation, a chamber of com-
29 merce and a local development corporation or a board
30 of trade and local development corporation for the
31 purpose of constructing a community industrial build-
32 ing subject to the provisions of this subchapter.

33 SUBCHAPTER IV

34 BUREAU OF COMMUNITY DEVELOPMENT

35 §10041. Bureau of Community Development; purpose

36 The Bureau of Community Development, a bureau
37 within the Department of Maine's Economic Future,
38 shall be responsible for administering and implement-
39 ing the state's role as authorized under the United
40 States Housing and Community Development Act of 1974,

1 Title 1, and its subsequent amendments, and of the
2 Maine Municipal Bond Bank.

3 The Bureau of Community Development shall be the
4 administrative agency for the program commonly re-
5 ferred to as the Community Block Grant Assistant Pro-
6 gram, formerly administered by the State Planning Of-
7 fice.

8 §10042. Director

9 The Director of the Bureau of Community Develop-
10 ment shall be appointed by and serve at the pleasure
11 of the commissioner.

12 1. Powers and duties. The director shall have
13 the following powers and duties:

14 A. Appoint and remove with the approval of the
15 commissioner, professional employees who shall
16 serve at the pleasure of the director;

17 B. Appoint and remove all other employees in ac-
18 cordance with the Personnel Law in Title 5, chap-
19 ters 57 and 59;

20 C. Prescribe the duties and responsibilities of
21 the employees in the bureau;

22 D. Administer the bureau and implement the poli-
23 cies and responsibilities of the Board of Commis-
24 sioners of the Maine Municipal Bond Bank as de-
25 fined in Title 30, chapter 241, Article 3-A;

26 E. Serve as the director of the public agency of
27 the State for the purpose of accepting and dis-
28 tributing federal funds or other assistance in
29 relation to community and economic development in
30 those nonentitlement areas and for those projects
31 duly authorized under the United States Housing
32 and Community Development Act of 1974, Title 1,
33 and its subsequent amendments. The director may
34 promulgate rules as deemed necessary to distrib-
35 ute the funds or assistance. These rules shall
36 be adopted in accordance with the Maine Adminis-
37 trative Procedure Act, Title 5, chapter 375, and
38 shall be consistent with the annual final state-

1 ment for the State Community Development Program
2 submitted to the Federal Government. The Bureau
3 of Community Development shall give notice in
4 writing of any such rules to the joint standing
5 committee of the Legislature having jurisdiction
6 over appropriations and financial affairs at
7 least 20 days before the hearing as stipulated in
8 the Maine Administrative Procedure Act, Title 5,
9 chapter 375, or before the deadline for comments
10 if no hearing is scheduled;

11 F. Coordinate the programs and activities of the
12 bureau with other bureaus in the department, the
13 State Planning Office and other agencies deemed
14 significant by the commissioner; and

15 G. Work closely with municipalities and municipi-
16 pal officials in planning and developing communi-
17 ty economic development plans and programs.

18 SUBCHAPTER V

19 BUREAU OF VOCATIONAL-TECHNICAL INSTITUTES

20 §10061. Bureau of Vocational-technical Institutes;
21 purpose

22 The Bureau of Vocational-technical Institutes is
23 established within the Department of Maine's Economic
24 Future to provide opportunities for individuals to
25 meet their employment potential.

26 1. Intent and purpose of bureau. The Bureau of
27 Vocational-technical Institutes, referred to as the
28 "bureau" in this subchapter shall serve to:

29 A. Create vocational-technical institutes in
30 Maine which will be able to respond to the needs
31 of the people of the State for vocation, techni-
32 cal and occupational training;

33 B. Provide for responsive administration of the
34 vocational-technical institutes;

35 C. Provide vocational, technical and occupation-
36 al education for those who demonstrate aptitude
37 and need and who require training designed for

1 service in agriculture, trade, industry or com-
2 merce;

3 D. Provide each graduate with job skills;

4 E. Provide the general education necessary to
5 complement the requirements of specific vocation-
6 al and technical skills;

7 F. Provide supplementary educational programs to
8 upgrade those persons already employed or retrain
9 persons for new employment opportunities;

10 G. Provide special programs for disadvantaged
11 and handicapped persons to permit them to take
12 maximum advantage of their aptitudes and inter-
13 ests; and

14 H. Develop programs with the goal of enabling
15 recipients of Aid to Families with Dependent
16 Children to achieve educational and skill levels
17 that will allow them to compete for employment
18 which can eliminate their dependency on public
19 assistance.

20 §10062. Definitions

21 As used in this subchapter, unless the context
22 otherwise indicates, the following terms have the fol-
23 lowing meanings.

24 1. Bureau. "Bureau" means the Bureau of
25 Vocational-technical Institutes;

26 2. Commission. "Commission" means the Commis-
27 sion on Vocational-technical Institutes whose members
28 are appointed by the the Governor as defined in sec-
29 tion 10064;

30 3. Commissioner. "Commissioner" means the Com-
31 missioner of Maine's Economic Future;

32 4. Department. "Department" means the Depart-
33 ment of Maine's Economic Future; and

34 5. Institute. "Institute" means a vocational-
35 technical institute as established in section 10063.

1 §10063. Establishment of institutes

2 The following vocational-technical institutes are
3 established and shall be located within the general
4 vicinity of the municipalities named in the following
5 subsections:

6 1. Central Maine Vocational-Technical Institute.
7 Central Maine Vocational-Technical Institute in the
8 City of Auburn;

9 2. Eastern Maine Vocational-Technical Institute.
10 Eastern Maine Vocational-Technical Institute in the
11 City of Bangor;

12 3. Kennebec Valley Vocational-Technical Insti-
13 tute. Kennebec Valley Vocational-Technical Institute
14 in the City of Waterville and the Town of Fairfield;

15 4. Northern Maine Vocational-Technical Insti-
16 tute. Northern Maine Vocational-Technical Institute
17 in the City of Presque Isle;

18 5. Southern Maine Vocational-Technical Insti-
19 tute. Southern Maine Vocational-Technical Institute
20 in the City of South Portland; and

21 6. Washington County Vocational-Technical Insti-
22 tute. Washington County Vocational-Technical Insti-
23 tute in the City of Calais.

24 §10064. Commission on Vocational-technical Education

25 1. Establishment of commission. There is estab-
26 lished a Commission on Vocational-technical Insti-
27 tutes to achieve the purposes as defined in section
28 10061.

29 2. Membership; appointment; terms. The commis-
30 sion shall consist of 9 members from the general pub-
31 lic appointed by the Governor to be reviewed by the
32 joint standing committee of the Legislature having
33 jurisdiction over education and subject to confirma-
34 tion by the Senate.

35 A. Members of the commission shall serve for a
36 term of 3 years, except that the initial members

1 shall be appointed to achieve staggered terms for
2 commission members. Three members shall be ini-
3 tially appointed for terms of one year, 3 members
4 shall be initially appointed for 2 years, and 3
5 members shall be initially appointed for 3 years.
6 Thereafter, members of the commission shall be
7 appointed to 3-year terms.

8 B. The members may be removed by the Governor
9 for cause. Any member who misses more than 3
10 consecutive meetings may be subject to removal
11 for cause.

12 3. Meetings; chairman; quorum. The commission
13 shall meet at least once each month and at the call
14 of the chairman or by a vote of the majority of the
15 board members. The Governor shall expeditiously make
16 his appointments not to exceed a period of 4 weeks
17 from the effective date of this subchapter, and the
18 Governor shall call the first meeting of the commis-
19 sion not to exceed 6 weeks following the effective
20 date of this subchapter.

21 At the first meeting, and annually thereafter, the
22 commission shall elects its own chairman. A quorum
23 shall consist of 5 members and no official business
24 shall be conducted or decisions issued unless a quo-
25 rum is present and voting.

26 4. Compensation. Members of the commission
27 shall be compensated as provided in Title 5, chapter
28 379.

29 5. Duties and authority. The commission shall
30 be the policy-making authority of the
31 vocational-technical institutes and shall have the
32 necessary authority to achieve the purpose of this
33 subchapter. The commission:

34 A. Shall cooperate with the commissioner to
35 achieve the purposes established in this chapter;

36 B. May establish, maintain and operate
37 vocational-technical institutes to promote spe-
38 cialized training for persons who give evidence
39 of special aptitude or need and who desire spe-
40 cialized training designed specifically to train

1 for service in trade, industry or commerce; and

2 C. Shall work closely with the director of the
3 bureau and assist the director as necessary.

4 §10065. Duties and authority of the bureau; estab-
5 lishment of additional institutes

6 1. General duties. The bureau shall maintain
7 and operate the institutes established in section
8 10063 and implement the policies of the commission.

9 2. Authority. The bureau may, in operating
10 these institutes:

11 A. Offer courses of study;

12 B. Grant diplomas and certificates on completion
13 of a course of study;

14 C. Confer associate degrees based upon 2 years
15 of instruction with equipment and facilities
16 which will safeguard the integrity of the degrees
17 conferred;

18 D. Charge tuition and other reasonable fees;

19 E. Establish qualifications for admission; and

20 F. Accept and expend all funds for
21 post-secondary vocational education received by
22 the department from:

23 (1) The General Fund;

24 (2) Gifts and donations either from public
25 or private sources which are offered uncon-
26 ditionally or under conditions approved by
27 the commission; or

28 (3) Fees.

29 §10066. Directors of institutes

30 1. Appointment of directors. The commissioner,
31 with the approval of the commission, shall appoint
32 the directors of the institutes.

1 2. Salary range. The commissioner, with the ap-
2 proval of the commission, shall establish the salary
3 range for directors and assistant directors.

4 3. Job title and salary range for new positions.
5 The commission, consistent with Title 26, chapter 12,
6 shall make recommendations to the Department of Per-
7 sonnel and the Bureau of the Budget concerning the
8 appropriate job title and salary range for each newly
9 created position in the unclassified service at an
10 institute. The recommendations shall be based on the
11 level of job responsibilities of the position cre-
12 ated.

13 4. Change of job title and salary range. The
14 commission, consistent with Title 26, chapter 12,
15 shall make recommendations to th Department of Per-
16 sonnel and the Bureau of the Budget to change the job
17 title or salary range of any existing position in the
18 unclassified service at an institute if an identifia-
19 ble change in job responsibilities occurs.

20 §10067. Funding levels; capital construction plan;
21 budget

22 1. Funding levels. Prior to September 1st of
23 even-numbered years, the commission shall certify and
24 present to the Governor the funding levels which it
25 recommends for the operation of the institutes. it
26 shall report those recommendations to the Legislature
27 prior to November 15th of even-numbered years.

28 2. Long-range capital construction plan. With
29 the requested funding levels, the commission shall
30 submit a long-range capital construction plan in pri-
31 ority order. This plan shall be submitted to the
32 Legislature with the required report.

33 3. Costs of maintenance, repairs and capital
34 construction. Notwithstanding any other provision of
35 law, the directors shall include the costs of mainte-
36 nance, repairs and capital construction at the insti-
37 tutes in the funding level requests presented to the
38 commission board. In the preparation, development
39 and submission of funding requests for maintenance,
40 repairs and capital construction, the State shall
41 consult with the Bureau of Public Improvements.

1 Funds appropriated for maintenance, repairs and capi-
2 tal construction at the institutes shall be allocated
3 and expended only for authorized purposes.

4 §10068. Contingent account

5 There is established under Title 5, section 1507,
6 a contingent account for the institutes and the pro-
7 cedures for allocation of contingent account funds.

8 §10069. Operation of courses at a secondary voca-
9 tional facility; administration; tuition
10 charges

11 1. Courses offered. Institute vocational
12 courses at grade levels 13 and 14 may be operated in
13 vocational centers or vocational regions if approved
14 by the commission.

15 2. Administration. If these courses are not
16 part of an adult education program, they shall be ad-
17 ministered as satellite programs of an institute des-
18 ignated by the commission.

19 §10070. State scholarships at the vocational - tech-
20 nical institutes

21 1. Scholarships. The commission shall develop
22 and administer a program of scholarships for students
23 enrolled at an institute. A student selected to re-
24 ceive a scholarship shall fulfill the following qual-
25 ifications:

26 A. Show evidence of the qualifications necessary
27 to successfully complete the course of study and
28 to become a competent craftsman in a trade or in-
29 dustrial pursuit;

30 B. Show demonstrated ability and willingness to
31 support the expenses of training; and

32 C. Show demonstrated need of partial financial
33 assistance to pay the cost of attendance at the
34 institute.

35 2. Limitation. A scholarship may not exceed one
36 semester of tuition in one year.

1 3. Allocation of scholarships. Amounts availa-
2 ble for these scholarships shall be distributed annu-
3 ally by the state board to the institutes as follows:

4 A. \$1,500 or the equivalent of 6 full scholar-
5 ships to each institute; and

6 B. Allocation of the balance of the scholarship
7 fund to each institute in the same proportion as
8 the institute's enrollent is of all of the insti-
9 tutes for the fall semester of the prior year.

10 4. Awards. Awards shall be based on evidence of
11 individual need and worth.

12 5. National Guard Scholarship Program. Members
13 of the Maine National Guard with over 10 years' con-
14 tinuous service may be awarded scholarships at
15 vocational-technical institutes not to exceed 3 cred-
16 it hours or the equivalent each semester. The guard
17 shall select those who will receive scholarships from
18 among those members eligible for admission to a
19 vocational-technical institute. The program shall be
20 administered by the state board.

21 §10071. Journeyman's examinations

22 An individual may take a journeyman's examination
23 conducted by the following boards in accordance with
24 the following requirements.

25 1. Electricians' Examining Board. The individu-
26 al:

27 A. Who has completed satisfactorily a course of
28 instruction certified by the Electricians' Exam-
29 ining Board at a Maine vocational-technical in-
30 stitute may take the journeyman's examination and
31 after passage of the examination and after work-
32 ing in the field of electrical installation for
33 4,000 hours under the supervision of a master
34 electrician or the equivalent shall receive a
35 journeyman's license. The board shall adopt a
36 written criteria for certification of a course of
37 instruction; or

1 B. Who is enrolled in a course of instruction at
2 a Maine vocational-technical institute on January
3 1, 1982, is entitled to take a journeyman's exam-
4 ination. Upon the successful completion of that
5 course of instruction and after passage of the
6 examination, the student shall receive a
7 journeyman's license.

8 2. Oil and Solid Fuel Board. The individual has
9 completed an approved course of at least 1,000 hours
10 of instruction related to the respective field at a
11 Maine vocational - technical institute, a
12 post-secondary satellite program at a vocational re-
13 gion or vocational center or an equivalent training
14 approved by the Oil and Solid Fuel Board.

15 3. Plumbers' Examining Board. The individual:

16 A. Who has satisfactorily completed one academic
17 year of instruction in plumbing at a Maine
18 vocational-technical institute may take the
19 journeyman's examination and after passage of the
20 examination shall receive a journeyman - in -
21 training license. After a minimum of 2,000 hours
22 of work in the field of plumbing installation as
23 a journeyman-in-training under the supervision of
24 a master plumber, that person shall receive a
25 journeyman's license, provided that the work ex-
26 perience is obtained within 4 years of the date
27 upon which the individual was issued a
28 journeyman-in-training license; or

29 B. Who is enrolled in a course of instruction in
30 plumbing at a Maine vocational-technical insti-
31 tute on July 1, 1983, shall receive a
32 journeyman's license upon successful completion
33 of that course of instruction and passage of the
34 journeyman's examination.

35 §10072. Police officer at institutes

36 1. Appointment. Subject to the Personnel Law, a
37 director may appoint persons to act as police offi-
38 cers. These police officers shall, within the limits
39 of the property owned by or under the control of the
40 institutes, possess all the powers of police officers
41 in criminal cases.

1 2. Guidelines. The commission may establish
2 guidelines by which each director may make rules for
3 the control, movement and parking of vehicles within
4 the limits of the property owned by or under the control
5 of the institute.

6 3. Rules. A director's rule shall be adopted or
7 amended in accordance with this Title. It shall have
8 the same force and effect as a municipal ordinance.
9 District Courts may impose fines, not to exceed \$10,
10 for each violation of these rules.

11 4. Evidence and waiver. The commission may
12 adopt the provisions of Title 30, section 2151, sub-
13 section 3, paragraph A, relating to prima facie evi-
14 dence and the establishment of a waiver of court ac-
15 tion by payment of specified fees.

16 §10073. Educational opportunities for recipients of
17 Aid to Families with Dependent Children

18 In conjunction with the Maine Aid to Families
19 with Dependent Children Coordinating Committee estab-
20 lished pursuant to Title 22, section 3773, the
21 vocational-technical institute shall:

22 1. Placement. Promote opportunities for educa-
23 tional placement for recipients of Aid to Families
24 with Dependent Children who meet admissions require-
25 ments; and

26 2. Supportive services. Within available funds
27 for supportive services, make available to Aid to
28 Families with Dependent Children recipients admitted
29 to the institute opportunities for supportive ser-
30 vices which may include, but are not limited to, re-
31 medial courses and other prevocational preparation,
32 day-care services, counseling services and other pro-
33 grams and services consistent with the policy and in-
34 tent of Title 22, chapter 1054.

35 Sec. 12. 20-A MRSA §203, sub-§1, ¶E, as enacted
36 by PL 1983, c. 489, §10, is repealed.

37 Sec. 13. 20-A MRSA §405, sub-§3, ¶C, as enacted
38 by PL 1981, c. 693, §§5 and 8, is repealed.

1 Sec. 14. 20-A MRSA c. 403, as amended, is re-
2 pealed.

3 Sec. 15. 30 MRSA §5163, sub-§4-A is enacted to
4 read:

5 4-A. Bureau. "Bureau" means the Bureau of Com-
6 community Development within the Department of Maine's
7 Economic Future as defined in Title 10, chapter 1003.

8 Sec. 16. 30 MRSA §5164, first ¶, as enacted by
9 PL 1971, c. 558, is amended to read:

10 There is established a public body corporate and
11 politic, to be known as the "Maine Municipal Bond
12 Bank-" and part of the Bureau of Community Develop-
13 ment in the Department of Maine's Economic Future.
14 The bank is constituted as an instrumentality of the
15 State exercising public and essential governmental
16 functions, and the exercise by the bank of the powers
17 conferred by this Act shall be deemed and held to be
18 an essential governmental function of the State.

19 Sec. 17. 30 MRSA §5164, as amended by PL 1979,
20 c. 533, §18, is further amended by adding after the
21 4th paragraph a new paragraph to read:

22 The director of the bureau shall be responsible
23 for implementing the policies and directors of the
24 board.

25 Sec. 18. 30 MRSA §5164, last ¶, as enacted by PL
26 1971, c. 558, is amended to read:

27 The executive director may employ, upon approval
28 of the board of commissioners and the Commissioner of
29 Maine's Economic Future, a general counsel, archi-
30 tects, engineers, accountants, attorneys, financial
31 advisors or experts and all such other or different
32 officers, agents and employees as may be required and
33 determine their qualifications, terms of office, du-
34 ties and compensation. The board of commissioners
35 shall fix the duties and compensation of the execu-
36 tive director. The executive director shall work
37 closely with the director of the bureau to achieve
38 the purpose as established in Title 10, section
39 10041.

1 Sec. 19. Transition clause.

2 1. Funds transferred; Finance Authority of
3 Maine. Notwithstanding the Maine Revised Statutes,
4 Title 5, sections 1585 and 1586, all accrued expendi-
5 tures, assets, liabilities, balances or allocations,
6 transfers, revenues or other available funds in any
7 account or subdivision of an account of the Finance
8 Authority of Maine shall be reallocated to the Fi-
9 nance Authority of Maine within the Department of
10 Maine's Economic Future.

11 2. Funds transferred; State Development Office.
12 Notwithstanding the Maine Revised Statutes, Title 5,
13 sections 1585 and 1586, all accrued expenditures, as-
14 sets, liabilities, balances or allocations, trans-
15 fers, revenues or other available funds in any ac-
16 count or subdivision of an account of the State De-
17 velopment Office shall be reallocated to the State
18 Development Office within the Department of Maine's
19 Economic Future.

20 3. Funds transferred; Vocational-technical In-
21 stitutes. Notwithstanding the Maine Revised Stat-
22 utes, Title 5, sections 1585 and 1586, all accrued
23 expenditures, assets, liabilities, balances or allo-
24 cations, transfers, revenues or other available funds
25 in any account or subdivision of an account of the
26 Vocational-technical Institutes within the The De-
27 partment of Educational and Cultural Services shall
28 be reallocated to the Vocational-technical Institutes
29 within the Department of Maine's Economic Future.

30 4. Funds transferred; Community Development
31 Block Grant Program and Maine Municipal Bond Bank.
32 Notwithstanding the Maine Revised Statutes, Title 5,
33 sections 1585 and 1586, all accrued expenditures, as-
34 sets, liabilities, balances or allocations, trans-
35 fers, revenues or other available funds in any ac-
36 count or subdivision of an account of the Community
37 Development Block Grant Program within the State
38 Planning Office or in any account or subdivision of
39 an account of the Maine Municipal Bond Bank shall be
40 reallocated to the Bureau of Community Development
41 with the same categories of accounts within the De-
42 partment of Maine's Economic Future.

1 5. Personnel transferred. Personnel of the Fi-
2 nance Authority of Maine, the State Development Of-
3 fice, the Vocational-technical Institutes within the
4 Department of Educational and Cultural Services, in-
5 cluding administrative and clerical personnel within
6 the administrative section of the department, the
7 Maine Municipal Bond Bank and the Community Develop-
8 ment Block Grant Program within the State Planning
9 Office shall be transferred to the respective bureaus
10 within the Department of Maine's Economic Future.
11 The accrued fringe benefits, including vacation and
12 sick leave, health and life insurance and retirement
13 of these personnel, shall remain with the transferred
14 personnel.

15 6. Rules, procedures, and contracts and agree-
16 ments. All rules and procedures currently in effect
17 and operations pertaining to the Finance Authority of
18 Maine, the State Development Office, the
19 Vocational-technical Institutes within the Department
20 of Educational and Cultural Services, the Maine Mu-
21 nicipal Bond Bank and the Community Development Block
22 Grant Program within the State Planning Office shall
23 be transferred to the respective bureaus within the
24 Department of Maine's Economic Future as defined in
25 this Act and shall remain in effect until rescinded
26 by the department or the bureaus or amended as pro-
27 vided by the Maine Revised Statutes, Title 10, chap-
28 ter 1003.

29 7. Equipment and property transferred. All
30 equipment and property of the State used by employees
31 and officials of the Finance Authority of Maine, the
32 State Development Office, the Vocational-technical
33 Institutes and vocational-technical administrative
34 and clerical staff located in the Education Building
35 in Augusta within the Department of Educational and
36 Cultural Services, the Community Development Block
37 Grant Program within the State Development Office and
38 the Maine Municipal Bond Bank shall be transferred to
39 the respective bureaus of the Department of Maine's
40 Economic Future as defined in this Act.

41 8. Location of department. The Director of the
42 Bureau of Public Improvements shall provide satisfac-
43 tory and suitable facilities for the Department of
44 Maine's Economic Future and which shall be sufficient

1 to house all bureaus of the department within a single
2 facility. The Director of the Bureau of Public
3 Improvements, within 5 months, following adjournment
4 of the First Regular Session of the 112th Legislature
5 shall locate the bureaus of the department within the
6 single facility.

7 9. Organization and operation of department and
8 bureaus. Notwithstanding any other provision of law,
9 any appointments required by this Act and preparation
10 work may be made or occur prior to the effective date
11 of this Act, but shall not become binding until the
12 effective date of this Act.

13 10. Funds transferred. Notwithstanding the
14 Maine Revised Statutes, Title 5, section 1585, all
15 accrued expenditures, assets, liabilities, balances
16 of appropriations, transfers, revenues or other
17 available funds in any account, or subdivision of an
18 account, of any agency to be reallocated to the de-
19 partment strictly as a result of the reorganization
20 effort, shall be transferred to the proper place in
21 the new structure by the State Controller, upon rec-
22 ommendation of the department head and the State Bud-
23 get Officer.

24 Sec. 20. Appropriation. The following funds are
25 appropriated from the General Fund to carry out the
26 purposes of this Act.

	<u>1985-86</u>	<u>1986-87</u>
27		
28	<u>MAINE'S ECONOMIC FUTURE,</u>	
29	<u>DEPARTMENT OF</u>	
30	Administration	
31	Personal Services	\$36,500 \$67,400
32	All Other	1,500 2,000
33	Capital Expenditures	<u>2,100</u>
34	Total	\$40,100 \$69,400

35 Sec. 21. Effective date. This Act is effective
36 on January 1, 1986.

1 STATEMENT OF FACT

2 The intent of this bill is to coordinate and make
3 more efficient the state's economic development and
4 business assistance programs, to produce and foster
5 economic growth and to enable Maine citizens to real-
6 ize their employment potential. To accomplish this
7 purpose, this bill establishes a Department of
8 Maine's Economic Future to include the following 4
9 bureaus:

- 10 1. The Finance Authority of Maine;
- 11 2. The State Development Office;
- 12 3. The Bureau of Vocational-technical Insti-
13 tutes; and
- 14 4. The Bureau of Community Development, to in-
15 clude:
- 16 A. The Maine Municipal Bond Bank; and
- 17 B. The Community Development Block Grant Pro-
18 gram.

19 This bill authorizes the Commissioner of Maine's
20 Economic Future to appoint the directors of the 4
21 agencies of the department to serve at his pleasure.
22 The Finance Authority of Maine Board, the Commission
23 on Vocational-technical Institutes and the Board of
24 Trustees of the Maine Municipal Bond Bank will con-
25 tinue to set policy for those organizations. The bu-
26 reaus will implement these policies.

27 The department is created to coordinate the pro-
28 grams and services of the agencies within its juris-
29 diction. The department administers the programs as
30 required and defined by the enabling law and by stat-
31 utory provisions relating to these agencies.

32 The intent of this bill is to retain personnel
33 already within the organizations, composing the new
34 department. The only new personnel would be the com-
35 missioner and a secretary.

1 This new department will have a commissioner to
2 give direction to economic growth and development ef-
3 ferts of the State. Currently, there is no central
4 director to Maine's development policies and pro-
5 grams. These agencies have scattered locations which
6 serve to impede coordination of programs and coopera-
7 tion among the several agencies.

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