

MAINE STATE LEGISLATURE

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(Governor's)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 1495

S.P. 491

In Senate, May 8, 1987

Reference to the Committee on Economic Development suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate
Presented by Senator WHITMORE of Androscoggin.

Cosponsored by Representative NADEAU of Lewiston,
Representative BOTT of Orono.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

**AN ACT to Consolidate Economic and Community
Development Activities.**

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

Sec. 1. 2 MRSA §6, sub-§1, as amended by PL 1985, c. 785, Pt. A, §1, is further amended to read:

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

Commissioner of Transportation;

Commissioner of Conservation;

1 Director-of-State-Development-Office;
2 Commissioner of Finance;
3 Commissioner of Administration;
4 Commissioner of Educational and Cultural Ser-
5 vices;
6 Commissioner of Environmental Protection;
7 Commissioner of Human Services;
8 Commissioner of Mental Health and Mental Retarda-
9 tion;
10 Commissioner of Public Safety;
11 Commissioner of Business, Occupational and Pro-
12 fessional Regulation;
13 Commissioner of Labor;
14 Commissioner of Agriculture, Food and Rural Re-
15 sources;
16 Commissioner of Inland Fisheries and Wildlife;
17 Commissioner of Marine Resources; and
18 Commissioner of Corrections; and
19 Commissioner of Economic and Community Develop-
20 ment.

21 Sec. 2. 3 MRSA §507-B, sub-§8, as repealed and
22 replaced by PL 1985, c. 737, Pt. A, §10, is amended
23 to read:

24 8. Agencies scheduled for termination on June
25 30, 1985. The following agencies and those scheduled
26 for termination on June 30, 1985, pursuant to section
27 507, subsection 6, paragraph B, shall-continue-but
28 shall-terminate-not-including-the-grace-period--no
29 later-than-June-30-1986-unless-continued-or-modi-
30 fied-by-law are continued:

- 1 A. Maine Sardine Council;
- 2 B. Atlantic States Marine Fisheries Commission;
- 3 C. Board of Directors, Maine Municipal and Rural
- 4 Electrification Cooperative Agency;
- 5 ~~D. State Energy Resource Advisory Board;~~
- 6 E. Lobster Advisory Council; and
- 7 F. Board of Environmental Protection; and.
- 8 ~~G. State Board of Examiners of Psychologists.~~

9 Sec. 3. 3 MRSA §507-B, sub-§9, as enacted by PL
10 1985, c. 737, Pt. A, §11, and c. 763, Pt. A, §8, is
11 repealed.

12 Sec. 4. 3 MRSA §507-B, sub-§9-A is enacted to
13 read:

14 9-A. Agencies scheduled for termination on June
15 30, 1985. Pursuant to section 507, subsection 6,
16 paragraph B, the following agencies scheduled for
17 termination on June 30, 1985, are continued or modi-
18 fied by an Act of the Legislature passed prior to
19 June 30, 1985:

- 20 A. Public Utilities Commission;
- 21 B. Office of Energy Resources;
- 22 C. Maine Development Foundation;
- 23 D. Saco River Corridor Commission;
- 24 E. State Soil and Water Conservation Commission;
- 25 and
- 26 F. Atlantic Sea Run Salmon Commission.

27 Sec. 5. 5 MRSA §934-A is enacted to read:
28 §934-A. Department of Economic and Community Devel-
29 opment

1 1. Major policy-influencing positions. The fol-
2 lowing positions are major policy-influencing posi-
3 tions with the Department of Economic and Community
4 Development. These positions shall be appointed by
5 the Commissioner of Economic and Community Develop-
6 ment and shall serve at his pleasure. Notwithstand-
7 ing any other provision of law, these positions and
8 their successor positions shall be subject to this
9 chapter:

10 A. Deputy Commissioner of Administration;

11 B. Deputy Commissioner for Business Development;

12 C. Deputy Commissioner for Community Develop-
13 ment;

14 D. Deputy Commissioner for Tourism; and

15 E. Associate Commissioner for Strategic Plan-
16 ning.

17 **Sec. 6. 5 MRSA §1507, sub-§5-A, as amended by PL**
18 **1985, c. 814, Pt. E, §2, is further amended to read:**

19 5-A. Job development training. The Governor may
20 allocate funds from such account in amounts not to
21 exceed in total the sum of \$250,000 in any fiscal
22 year, except that in the fiscal year ending June 30,
23 1987, the amount shall not exceed \$325,000 to provide
24 funds for any unusual, unforeseen or extraordinary
25 needs for state assistance in creating jobs by as-
26 sisting in meeting the training requirements of labor
27 intensive new or expanding industries. Allocations
28 for this purpose may be made from this fund by the
29 Governor only upon the written request of the Commis-
30 sioner of Labor or the ~~Director of the State Develop-~~
31 ~~ment-Office~~ Commissioner of Economic and Community
32 Development and after consultation with the State
33 Budget Officer. The ~~director's or~~ commissioner's re-
34 quest to the Governor shall be formulated subsequent
35 to their consultation with each other, the Commis-
36 sioner of Educational and Cultural Services, the Di-
37 rector of the Maine Vocational-Technical Institute
38 System and the director of the appropriate service
39 delivery area as defined by the Job Training Partner-
40 ship Act.

1 2. Department. "Department" means the Depart-
2 ment of Economic and Community Development.

3 3. State Development Office. "State Development
4 Office" means the Department of Economic and Commu-
5 nity Development.

6 §13053. Organization of department

7 The department shall consist of those organiza-
8 tions which are essential to the fulfillment of its
9 purpose and mission as stated in this chapter, and in
10 a manner consistent with the State's economic devel-
11 opment strategy. The commissioner may organize the
12 department to meet these purposes.

13 1. Organizations. The department may contain
14 the following organizations:

15 A. The Office of Business Development;

16 B. The Office of Community Development;

17 C. The Office of Tourism; and

18 D. The Division of Strategic Planning.

19 §13054. Duties and responsibilities of department

20 The department shall have the duties and respon-
21 sibilities to:

22 1. Implement policies and programs. Implement
23 economic development policies and programs in compli-
24 ance with the state economic development strategy;

25 2. Work with other organizations. Work with
26 other state agencies, municipalities and regional
27 planning, community and economic development organi-
28 zations for the purpose of assisting and encouraging
29 the orderly and coordinated development of the State;

30 3. Conduct planning and research. Conduct plan-
31 ning, research and analysis for department needs, but
32 not macroeconomic forecasting which shall be the re-
33 sponsibility of the State Planning Office. The de-
34 partment shall gather, maintain and have access to

1 all economic and other information necessary to the
2 performance of its duties;

3 4. Communication with private sector. Communi-
4 cate, on a regular basis, with the private sector to
5 inform the private sector of departmental programs
6 and services and to determine the needs, problems and
7 opportunities of the private sector;

8 5. Prepare and distribute publications. Prepare
9 and distribute publications that:

10 A. Describe various business development pro-
11 grams within the State that are available to
12 Maine businesses;

13 B. Describe the various community and economic
14 development programs of the State; and

15 C. Market the State of Maine and its communities
16 as suitable areas for business development; and

17 6. Implement programs. Implement economic and
18 community development programs which are assigned to
19 the department by the Governor or Legislature, in-
20 cluding those formerly administered by the following
21 other state agencies:

22 A. The programs of the State Development Office;
23 and

24 B. Other community planning and development as-
25 sistance programs of the State Planning Office.

26 §13055. Commissioner; appointment

27 The Commissioner of Economic and Community Devel-
28 opment shall be appointed by the Governor, subject to
29 review by the joint standing committee of the Legis-
30 lature having jurisdiction over economic development
31 matters and legislation and to confirmation by the
32 Legislature. The commissioner shall serve at the
33 pleasure of the Governor.

34 1. Qualifications. The commissioner shall be a
35 person with background, experience and interest in
36 the areas of community and economic development.

1 §13056. Duties and responsibilities of commissioner

2 The department shall be administered by the com-
3 missioner. The commissioner shall have the following
4 powers and duties.

5 1. Employ staff. The commissioner shall employ
6 the staff of the office. All professional staff
7 shall serve at the pleasure of the commissioner.
8 Clerical and other nonprofessional staff persons
9 shall be hired pursuant to the Civil Service Law for
10 classified state employees.

11 A. The commissioner may employ or engage such
12 outside technical or professional consultants as
13 may be necessary or appropriate to assist the of-
14 fice in carrying out its functions; and may enter
15 into contracts with other boards, commissions,
16 departments and divisions of the State or with
17 the University of Maine System to assist him in
18 carrying out his duties under this chapter.

19 2. Accept federal funds. The commissioner may
20 accept for the State any federal funds appropriated
21 under any federal law relating to the authorized pro-
22 grams of the department, including community and eco-
23 nomical development in those nonentitlement areas and
24 for those projects duly authorized under the United
25 States Housing and Community Development Act of 1974,
26 Title 1, and its subsequent amendments. The commis-
27 sioner may undertake the necessary duties and tasks
28 to implement federal law with respect to the autho-
29 rized programs of the department.

30 A. The commissioner may accept for the depart-
31 ment any funds from any other agency of govern-
32 ment, individual, group, foundation or corpora-
33 tion to carry out this chapter, including fees
34 designated by the commissioner for books, bro-
35 chures, pamphlets, films, photos, maps and simi-
36 lar materials. A revolving fund is established
37 within the department for the use of the depart-
38 ment to cover the printing and distribution costs
39 of these materials. Income from the sale of pub-
40 lications shall be credited to the revolving fund
41 to be used as a continuing carrying account to
42 carry out the purposes of the revolving funds.

1 3. Hold hearings and adopt rules. The commis-
2 sioner may hold hearings and adopt rules, in accord-
3 ance with the Maine Administrative Procedures Act,
4 Title 5, chapter 375, with respect to the implementa-
5 tion of authorized programs of the department.

6 A. The commissioner may adopt rules to distrib-
7 ute funds or assistance under the United States
8 Housing and Community Development Act of 1974,
9 Title 1, and its subsequent amendments. The
10 rules shall be consistent with the annual final
11 statement for the State Community Development
12 Program submitted to the Federal Government. The
13 department shall give notice in writing of any
14 such rules to the joint standing committee of the
15 Legislature having jurisdiction over appropri-
16 ations and financial affairs at least 20 days be-
17 fore the hearing, as stipulated in the Maine Ad-
18 ministrative Procedure Act, Title 5, chapter 375,
19 or before the deadline for comments if no hearing
20 is scheduled.

21 4. Coordinate programs and services. The com-
22 missioner shall coordinate the programs and services
23 of the department. The commissioner shall coordinate
24 the department's programs and services with those
25 programs and services of other state agencies and re-
26 gional planning and economic development organiza-
27 tions.

28 5. Review of program; report to Governor and
29 Legislature. The commissioner shall review and eval-
30 uate the programs and functions of the department and
31 the operation of the economic delivery system. The
32 commissioner shall report his findings and recommen-
33 dations with respect to the issues described in this
34 subsection to the Governor and to the Legislature no
35 later than February 1st of each first regular session
36 of the Legislature. The commissioner shall conduct
37 his review and evaluation with respect to the follow-
38 ing:

39 A. The purpose of these programs and the degree
40 to which the purpose is being met;

41 B. The degree of significance of the purpose of
42 the programs and functions of the department;

1 C. The extent of the coordination of programs
2 and services as required in subsection 4;

3 D. The needs, problems and opportunities that
4 are not being met by the programs and services of
5 the department;

6 E. The types of programs and services necessary
7 to meet the needs, problems and opportunities as
8 set out in paragraph D; and

9 F. The problems and successes in the economic
10 delivery system.

11 6. Responsible for oversight. The commissioner
12 shall be responsible for the oversight and implemen-
13 tation of the following:

14 A. A program of assistance to encourage business
15 development pursuant to subchapter II;

16 B. Community development programs;

17 C. A program of tourism promotion and develop-
18 ment;

19 D. The promotion of Maine products and Maine as
20 an investment opportunity;

21 E. A foreign trade zone program;

22 F. The Business Assistance Referral and
23 Facilitation Program, pursuant to section 13063;
24 and

25 G. The Community Industrial Buildings Program,
26 pursuant to subchapter III, article I.

27 7. Commissioner to coordinate programs. The
28 commissioner shall coordinate department programs
29 with employment training agencies and councils for
30 the purpose of developing, promoting and identifying
31 employment opportunities for special populations,
32 such as recipients of Aid to Families with Dependent
33 Children consistent with the policy and intent of Ti-
34 tle 22, chapter 1054.

1 8. Designate and certify local and regional or-
2 ganizations. The commissioner may designate and cer-
3 tify competent local and regional economic develop-
4 ment organizations to implement state programs and
5 services in whole or in part.

6 A. The commissioner may assist in forming re-
7 gional planning commissions and councils of gov-
8 ernments and may assist with financing the cost
9 of operation of the regional planning commissions
10 established under Title 30, chapter 204-A, sub-
11 chapter III, and councils of governments empow-
12 ered under Title 30, chapter 204-A, subchapter
13 II.

14 B. The commissioner shall adopt rules with re-
15 spect to standards and criteria for local and re-
16 gional agencies to be certified and evaluate lo-
17 cal and regional organizations in regard to the
18 implementation of these programs and services.

19 §13057. State agencies to cooperate

20 All state agencies and any other organizations
21 designated by the department to implement community
22 and economic development programs and policies shall
23 cooperate with and expeditiously respond to requests
24 of the department.

25 SUBCHAPTER II

26 BUSINESS DEVELOPMENT

27 §13061. Office established

28 The commissioner may establish the Office of
29 Business Development. This office shall encourage
30 the initiation, expansion and location of businesses
31 in Maine which would expand quality employment oppor-
32 tunities for Maine citizens.

33 The Office of Business Development shall encour-
34 age business by removing barriers to growth, facili-
35 tating exploration of opportunities and providing as-
36 sistance necessary to enhance business consistent
37 with the State's economic development strategy.

1 §13062. Office of Business Development

2 The Deputy Commissioner for Business Development
3 shall be the Director of the Office of Business De-
4 velopment and shall administer the office in accord-
5 ance with the policies of the commissioner and the
6 provisions of this chapter, emphasizing a program of
7 targeted business development designed to attract
8 particular types of businesses which have potential
9 for Maine and businesses which are deemed to be com-
10 patible with Maine's environment and interests. The
11 office shall actively seek and encourage firms to ex-
12 pend or locate in Maine. The office shall be respon-
13 sible for the implementation of programs designed to
14 promote Maine products in national and international
15 markets and to develop markets for industry located
16 in Maine.

17 The Office of Business Development may be respon-
18 sible for the implementation of a program consisting
19 of 2 primary elements.

20 1. Business investment. Business investment
21 shall be encouraged consistent with this subsection.

22 A. The office shall conduct an analysis of the
23 various industrial sectors of the economy. The
24 types of businesses to be targeted for attraction
25 shall be ones which have potential for develop-
26 ment in Maine and which will contribute to a
27 healthy business and environmental climate.

28 B. The office shall report its findings and rec-
29 ommendations to the commissioner. The commis-
30 sioner, with the advice of the director shall de-
31 termine the type and extent of the business in-
32 vestment program to be implemented.

33 C. The director, with the approval of the com-
34 missioner, may make grants for market development
35 from appropriations for that purpose to any mu-
36 nicipality or group of municipalities which have
37 received a grant of authority from the Federal
38 Government to establish a foreign trade zone.

39 D. Application for foreign trade zones shall be
40 according to this paragraph.

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(1) The director, with the approval of the commissioner, on behalf of the State, may make applications to the Foreign Trade Zone Board and establish foreign trade zones that are to be located on state-owned, leased or otherwise controlled property. A municipality or group of municipalities may, with the approval of the department, make applications to the Foreign Trade Zone Board and establish foreign trade zones at other locations. Foreign trade zones shall be established in or adjacent to any ports of entry in the State, where personal property in transit shall be exempt from the stock-in-trade tax and such other taxes and customs as are normally levied in a port of entry.

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(2) Any development or activity with a foreign trade zone established in the State is subject to the laws which the Department of Environmental Protection, Department of Conservation, Department of Marine Resources and Department of Inland Fisheries and Wildlife are responsible for administering, as well as any other law which protects the environment.

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(3) For the purpose of this subsection, "personal property in transit" through the areas established under this paragraph means goods, wares and merchandise either moving in interstate or international commerce through these zones or consigned to a warehouse, public or private, within these zones, whether specified when transportation begins or afterward. This property shall not be deprived of exemption because, while in the warehouse, the property is assembled, bound, joined, processed, disassembled, divided, cut, broken in bulk, relabeled or repackaged. The exemption granted shall be liberally construed to effect the purposes of this subsection. The warehouse in which these goods, wares or merchandise are stored shall not be owned, in whole or in part, by either the consignee or consignor. This

1 paragraph does not apply to agricultural
2 products.

3 2. Business assistance. Business assistance ser-
4 vices shall be provided consistent with this subsec-
5 tion.

6 A. The office shall provide business assistance
7 services that are convenient to businesses
8 throughout the State. The office shall use cer-
9 tified local and regional economic development
10 organizations and educational institutions to im-
11 plement this subsection.

12 (1) Business assistance services shall in-
13 clude managerial and technical assistance
14 and assistance with applications for loans
15 and the completion of applications for li-
16 censes and permits from regulatory agencies.

17 (2) The office shall provide marketing as-
18 istance to firms and industries. The of-
19 fice, in conjunction with local and regional
20 organizations and other institutions with
21 marketing expertise, may conduct seminars on
22 marketing topics for Maine businesses.

23 B. In accordance with section 13067, the office
24 shall implement a program to assist businesses by
25 referring businesses and persons to the proper
26 agencies designed to provide the business ser-
27 vices or assistance requested, and to serve as a
28 central clearing house of information with re-
29 spect to business assistance programs and ser-
30 vices available in the State.

31 §13063. Business Assistance Referral and
32 Facilitation Program

33 The director shall be responsible for the imple-
34 mentation of the Business Assistance Referral and
35 Facilitation Program.

36 1. Referral and central clearinghouse service.
37 The director shall maintain and update annually a
38 list of the business assistance programs and services
39 and the names, locations and telephone numbers of the

1 organizations providing these programs and services
2 that are available within the State. The director
3 may publish a guide consisting of the business as-
4 sistance programs and services available from public
5 or private sector organizations throughout the State.
6 This program shall be designed to:

7 A. Respond to written and oral requests for in-
8 formation about business services and assistance
9 programs available throughout the State;

10 B. Obtain and compile the most current and
11 available information pertaining to business as-
12 sistance programs and services within the State;

13 C. Delineate the business assistance programs
14 and services by type of program or service and by
15 agency; and

16 D. Maintain a list, to be updated annually, of
17 marketing programs of state agencies with a de-
18 scription of each program.

19 2. Business facilitation service. The director
20 shall implement a business facilitation service which
21 shall be designed to:

22 A. Resolve problems encountered by business per-
23 sons with other state agencies and with certified
24 regional and local economic development organiza-
25 tions;

26 B. Coordinate programs and services for business
27 among agencies and all levels of government;

28 C. Facilitate responsiveness of State Government
29 to small business needs; and

30 D. Report to the commissioner any breakdowns in
31 the economic delivery system, including problems
32 encountered by businesses dealing with state
33 agencies.

34 SUBCHAPTER III

35 COMMUNITY DEVELOPMENT

1 velopment needs, problems and opportunities of
2 municipalities and regions.

3 2. Designate local and regional community and
4 economic development organizations. The director
5 shall monitor the activities of designated public and
6 private, local and regional community and economic
7 development organizations. In order to receive fi-
8 nanacial assistance and resources from the department,
9 an agency must demonstrate the effective administra-
10 tion of programs and services and the effectiveness
11 of these programs.

12 3. Development grants. The director, with the
13 approval of the commissioner, may provide grants to
14 municipalities and regional development organizations
15 for the purpose of creating economic and community
16 development strategies and policies.

17 4. Provide information. The director shall pro-
18 vide municipalities with information about the de-
19 partment's programs and services and shall refer mu-
20 nicipalities to the offices and programs within the
21 State that can best assist them.

22 5. Work with state agencies. The director shall
23 work with other state agencies that administer pro-
24 grams and services used by municipalities. The di-
25 rector shall strive to coordinate department programs
26 and services with the programs and services of these
27 agencies.

28 6. Administer Community Industrial Buildings
29 Program. The director shall administer the Community
30 Industrial Buildings Fund as set out in article II.

31 7. Oversee community planning and development
32 resources and programs. The director shall oversee
33 the implementation of community development programs
34 to include at a minimum:

35 A. The Community Development Block Grant Pro-
36 gram;

37 B. A local grants program of coastal zone man-
38 agement; and

1 C. A regional planning grants program.

2 8. Provide technical assistance. The director
3 shall oversee delivery of technical assistance and
4 resources to municipalities and regional community
5 and economic development organizations for the pur-
6 pose of developing local plans and regulations in
7 compliance with state mandates for land use planning
8 and development and encouraging economic growth while
9 maintaining the quality of life.

10 §13073. Community Development Block Grant Program

11 The director shall implement the Community Devel-
12 opment Block Grant Program pursuant to the United
13 States Housing and Community Development Act of 1974,
14 Title 1, and its subsequent amendments. For purposes
15 of this section, "program" means the Community Devel-
16 opment Block Grant Program and "fund" means the Com-
17 munity Development Revolving Loan Fund.

18 1. Revolving loan fund. The Community Develop-
19 ment Block Grant Program shall include the Community
20 Development Revolving Loan Fund which shall be a non-
21 lapsing revolving fund.

22 2. Repayments to fund. To this fund shall be
23 credited all repayments of grants made to municipali-
24 ties that elect not to retain those funds under the
25 fund part of the program, including interest, penal-
26 ties and other fees and charges related to fund
27 grants.

28 3. Investment of fund money. Money in the fund
29 not needed to meet the current obligations of the
30 program shall be deposited with the Treasurer of
31 State to the credit of the fund and may be invested
32 in such manner as is provided by law. Interest re-
33 ceived on that investment shall be credited to the
34 fund.

35 4. Legislative allocation of fund required. The
36 Department of Economic and Community Development
37 shall submit to the Legislature, through the budget
38 process as required by chapter 149, its recommenda-
39 tions for disbursement from the fund.

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

4 4. Lease. "Lease" means a contract providing
5 for the use of a project or portions of a project for
6 a term of years for a designated or determinable
7 rent. A lease may include an installment sales con-
8 tract.

9 5. Lessee. "Lessee" means a tenant under lease
10 and may include an installment purchaser.

11 6. Local development corporation. "Local devel-
12 opment corporation" means any nonprofit organization
13 created by a municipality; incorporated under Title
14 13, chapter 81; incorporated under Title 13-B or oth-
15 erwise chartered by the State; and designed to fos-
16 ter, encourage and assist the settlement or
17 resettlement of industrial, manufacturing, fishing,
18 agricultural, recreational and other business enter-
19 prises within the State. A majority vote of the mu-
20 nicipal officers is sufficient to form a local devel-
21 opment corporation, notwithstanding Title 13, chapter
22 81.

23 7. Municipality. "Municipality" means any coun-
24 ty, city or town in the State.

25 8. Rural area. "Rural area" means any area that
26 is not an urban area.

27 9. Urban area. "Urban area" means any munici-
28 pality with a population greater than 10,000 persons.

29 §13082. Community Industrial Buildings Fund

30 1. Creation. The Community Industrial Buildings
31 Fund is created as a nonlapsing revolving fund to be
32 used by the department only for the purposes of this
33 article. There is created within the fund separate
34 accounts for rural and urban areas, called the "rural
35 account" or "urban account", which shall be separate-
36 ly charged and credited, as provided under this sec-
37 tion, according to the location of each community in-
38 dustrial building in a rural or urban area.

1 2. Items charged or credited. Operating ex-
2 penditures of the department incurred under this article
3 shall be charged to the fund and all payments re-
4 quired by this article shall be credited to it. All
5 department expenses that arise out of assistance to
6 local development corporations under this article
7 shall be charged solely against the proceeds of the
8 sale or rental of community industrial buildings or
9 all or part of an industrial park assisted under this
10 article.

11 3. Deposited funds. Money in the fund not cur-
12 rently needed to meet the obligations of the depart-
13 ment under this article shall be deposited with the
14 Treasurer of State to the credit of the fund with all
15 interest earned by the deposit credited to the fund.

16 4. Successor to fund. The department shall be
17 the successor to the State Development Office for the
18 purposes of this article. All properties, rights in
19 land, buildings and equipment and any funds, money,
20 revenues and receipts or assets of the State Develop-
21 ment Office as they apply to the Community Industrial
22 Buildings Fund, including funds previously appropri-
23 ated by the State for the Community Industrial Build-
24 ings Fund, shall belong to the department as succes-
25 sor to the State Development Office. All liabilities
26 of the State Development Office with respect to the
27 Community Industrial Buildings Fund shall become lia-
28 abilities of the department. Any action taken by the
29 State Development Office with respect to assisting a
30 local development corporation to create community in-
31 dustrial buildings shall be an action taken by the
32 Department of Economic and Community Development.

33 §13083. Assistance to development corporations

34 The department may assist a local development
35 corporation to construct a community industrial
36 building by loaning it money, for construction or
37 carrying costs, or both, for the project, subject to
38 subsection 1.

39 1. Project. The following conditions apply to
40 the project.

1 A. The project shall be within the scope of this
2 article, shall be of public use and benefit and
3 shall reasonably be expected to create new em-
4 ployment opportunities.

5 B. Within the separate rural and urban accounts,
6 preference shall be given to projects in economi-
7 cally deprived areas within labor market dis-
8 tricts declared to be in need of economic devel-
9 opment assistance by the Department of Labor; and

10 C. Not more than one unoccupied community indus-
11 trial building project may be financed in a labor
12 market area at any one time.

13 2. Local development corporation. The local de-
14 velopment corporation shall comply with the follow-
15 ing.

16 A. The local development corporation shall own,
17 or hold on long-term lease, the site for the
18 project.

19 B. The local development corporation, in the
20 opinion of the department, shall be responsible
21 for and shall present evidence of its ability to
22 carry out the project as planned.

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

26 D. The local development corporation shall pro-
27 vide and maintain, with funds other than those
28 provided by the department, an adequate access
29 road from a public highway to the proposed site
30 and provide and maintain water, sewer and power
31 facilities. The local development corporation
32 shall be responsible for plowing out the plant
33 site at all times and for landscaping the build-
34 ing in an attractive fashion until the building
35 is occupied by an industrial tenant.

36 E. The local development corporation's project
37 plans shall comply with applicable zoning, plan-
38 ning and sanitary regulations in the municipality
39 where it is to be located. No loan may be ap-

1 proved and no certificate of approval for the
2 project or for any subsequent enlargement or ad-
3 dition to the project may be issued until the De-
4 partment of Environmental Protection has certi-
5 fied to the department that all licenses required
6 from the department have been issued or that none
7 are required.

8 F. The local development corporation shall make
9 adequate provisions for insurance and fire pro-
10 tection and maintenance of the building while it
11 is unoccupied.

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

13 A. The department may prescribe the terms and
14 conditions of the loan.

15 B. Loans shall be repaid in full, including in-
16 terest and other charges, within 90 days after
17 the building is occupied.

18 C. The building financed by a department loan
19 may not be sold or leased without the express ap-
20 proval of the purchaser or lessee by the depart-
21 ment. If the local development corporation and
22 the department agree that a community industrial
23 building is unlikely to be sold in the near fu-
24 ture despite a marketing effort, the department
25 may permit an interim lease upon terms it deems
26 appropriate for the protection of the fund. Oc-
27 cupation of the premises under an interim lease
28 shall not require payment in full of the entire
29 loan within 90 days, as provided in paragraph B.

30 4. Promotion and development. The department
31 shall undertake promotional and publicity activities
32 on behalf of community industrial buildings to prop-
33 erly market them to prospective purchasers or ten-
34 ants. The department shall maintain a constant and
35 continual effort to secure suitable tenants or pur-
36 chasers for these buildings and shall prepare neces-
37 sary advertising and promotional materials.

38 5. Taxes. While the community industrial build-
39 ing remains unoccupied and a first mortgage is held
40 by the department, it is declared to be property held

1 for a legitimate public use and benefit and shall be
2 exempt from all taxes and special assessments of the
3 State or any of its political subdivisions. This
4 section does not apply to any community industrial
5 building which construction is not financed under
6 this article.

7 6. Municipality. A municipality may raise or
8 appropriate money supporting and guaranteeing the ob-
9 ligation of a chamber of commerce, board of trade or
10 local development corporation for the purpose of con-
11 structing a community industrial building subject to
12 the provisions of this article.

13 SUBCHAPTER IV

14 TOURISM

15 §13091. Purpose

16 Community development includes the planning and
17 management of local, natural and physical resources
18 in order to provide standards and affordable housing,
19 viable neighborhoods, downtowns, commercial and in-
20 dustrial areas and adequately maintained
21 infrastructure, and appropriate community amenities
22 which are necessary to the prosperity of Maine's mu-
23 nicipalities. A central community development agency
24 can improve program delivery and enhance communica-
25 tion.

26 §13092. Office of Tourism

27 The Office of Tourism is established to carry out
28 the purposes of this subchapter. The Deputy Commis-
29 sioner for Tourism shall be the Director of the Of-
30 fice of Tourism and shall be directly responsible to
31 the commissioner. The office shall:

32 1. Advertising and promotion programs. Imple-
33 ment advertising and promotion programs to market
34 this State's travel product;

35 2. Booklets, brochures, pamphlets. Print, or
36 cause to have printed, alone or in cooperation with
37 other travel promotion agencies and groups, booklets,
38 brochures, pamphlets and other materials as required

- 1 to fulfill requests for information on the State's
2 travel products;
- 3 3. Travel product facilities and activities.
4 Encourage the development of travel product facilities
5 and activities by locating potential developers,
6 providing market and feasibility analysis, assisting
7 developers in complying with public rules and laws
8 and providing technical assistance to local decision
9 making, including site selection, financing and utilities;
10
- 11 4. Review and comment on state policies. Review
12 and comment upon the policies and programs of state
13 agencies which directly affect the achievement of the
14 duties and responsibilities of the office;
- 15 5. Support; matching grants. Provide basic support
16 and discretionary matching grants to local, regional
17 and statewide nonprofit agencies which directly
18 affect the achievement of the duties and responsibilities
19 of the office;
- 20 6. Staff information center. Staff or cause to
21 be staffed any information center constructed, owned,
22 leased, acquired or operated by the State;
- 23 7. Technical or professional consultants. Employ
24 or engage such outside technical or professional
25 consultants or organizations as may be necessary or
26 appropriate to assist the office in carrying out its
27 functions;
- 28 8. Fees; funding. Accept such fees as the director
29 may designate for the preparation and distribution
30 of books, booklets, brochures, pamphlets,
31 films, photos, maps, exhibits, mailing lists and all
32 like materials and media advertising. There is established
33 within the office a revolving fund for the use of the
34 office to help offset the preparation and distribution
35 costs of these materials. The office shall retain,
36 without charge, an appropriate number of each
37 publication for complimentary distribution. Income
38 from the sale of publications and other materials
39 that were charged to the revolving fund shall be
40 credited to the revolving fund to be used as a
41 continuing carrying account to carry out the purposes
42 of the revolving fund;

1 9. Rules. Subject to the approval of the com-
2 missioner, adopt, amend and repeal rules to carry out
3 the purposes of this section; and

4 10. Other activities. Undertake such other ac-
5 tivities as the commissioner considers appropriate
6 and necessary to ensure the successful implementation
7 of this section.

8 §13093. Maine Tourism Commission

9 1. Maine Tourism Commission. The Maine Tourism
10 Commission, established by Title 5, section 12004,
11 shall assist, advise and recommend the operation of
12 the Office of Tourism. It shall consist of 9 members
13 of major tourism trade associations and 8 public mem-
14 bers who shall represent their respective regions and
15 who are experienced in the field or who have demon-
16 strated a concern for the travel industry. The terms
17 of the members shall be for 4 years each; except
18 that, for the members first appointed, 4 members
19 shall be appointed for terms of 4 years, 4 members
20 for terms of 3 years, 4 members for terms of 2 years
21 and 5 members for terms of one year. The members
22 shall be appointed by the Governor, who shall fill
23 any vacancy in the membership for the unexpired term.
24 The commissioner, director or his designee of the
25 following state departments or offices shall serve as
26 ex officio, nonvoting members of the commission: De-
27 partment of Economic and Community Development; State
28 Planning Office; Department of Conservation; Depart-
29 ment of Transportation; Department of Inland Fisher-
30 ies and Wildlife; Department of Agriculture, Food and
31 Rural Resources; Department of Educational and Cul-
32 tural Services; Bureau of Public Improvements; and
33 Canadian Affairs Coordinator. A chairman and vice-
34 chairman shall be elected annually from the appointed
35 membership.

36 2. Powers and duties. The commission shall:

37 A. Recommend rules for the implementation of
38 section 13094 and make recommendations on the
39 award of matching funds to the commissioner and
40 the Director of the Office of Tourism;

- 1 B. Recommend policy guidelines on marketing,
2 promotion and advertising strategies to the Of-
3 ice of Tourism;
- 4 C. Conduct public hearings as necessary to ob-
5 tain input concerning tourism policy development
6 from a broad cross section of travel interests;
- 7 D. Assist the Office of Tourism in providing
8 technical assistance to the travel industry and
9 in planning and conducting periodic tourism con-
10 ferences;
- 11 E. Prepare a report for annual submission to the
12 Governor and the Legislature relative to the pro-
13 grams, policies and accomplishments of the Maine
14 Tourism Commission; and
- 15 F. Assist the Office of Tourism in such other
16 areas as the commissioner considers appropriate
17 and necessary to ensure the successful implemen-
18 tation of this section.

19 3. Compensation. Commission members shall be
20 compensated as provided by chapter 379.

21 §13094. Travel Promotion Matching Fund Program

22 1. Statement of purpose. The Travel Promotion
23 Matching Fund Program is established to serve the
24 following purposes:

25 A. To allow the State to provide part of the
26 funds necessary for public and private, nonprofit
27 travel promotional organizations to conduct pro-
28 motivational programs; and

29 B. To strengthen the State's image by coordinat-
30 ing the promotional efforts of the private sector
31 and the Office of Tourism.

32 2. Eligible organization. Matching funds shall
33 be made available to those nonprofit travel promo-
34 tional organizations which best meet the purposes of
35 this section. No such organization may disburse
36 state matching funds to a private, for-profit busi-
37 ness for the purpose of promoting its goods, ser-
38 vices, functions or activities.

1 3. Limitations. It is not the intent of this
2 section to reduce any organizations's financial par-
3 ticipation in any ongoing project, but rather to in-
4 crease or develop new programs. The grant program
5 shall be geared to specific promotional efforts and
6 costs and is not intended to match any administrative
7 costs, including any form of personal services.

8 4. Administration. The Office of Tourism shall
9 administer the Travel Promotion Matching Fund Program
10 with such flexibility as to bring about the most ef-
11 fective and economical travel promotion program pos-
12 sible. Applications from all regions of the State
13 shall be equally considered. The Maine
14 Vacation-travel Commission shall recommend rules and
15 procedures necessary and appropriate to the proper
16 operation of the Travel Promotion Matching Fund Pro-
17 gram. These rules shall establish eligibility re-
18 quirements, allocation formulas, application proce-
19 dures and criteria subject to the final approval of
20 the commissioner. The commission shall establish a
21 schedule for review of grant applications and make
22 timely recommendations of grant awards to the Office
23 of Tourism. Grants recommended by the commission to
24 the office must be approved by the Director of the
25 Office of Tourism prior to any disbursement of funds.

26 5. Bookkeeping systems. The department and all
27 tourist promotional organizations qualifying for
28 matching funds under this section shall keep accurate
29 records of any applications, transactions, payment
30 receipts and correspondence relating to the implemen-
31 tation of the Travel Promotion Matching Fund Program.

32 A. The department shall establish a standard ac-
33 counting procedure to be used by any organization
34 receiving money under this section.

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

40 No additional matching funds may be awarded to an or-
41 ganization until the provisions of this subsection
42 have been met.

1 ysis for community and economic development. The As-
2 sociate Commissioner for Strategic Planning shall
3 serve as the Director of the Division of Strategic
4 Planning and shall administer the division in accord-
5 ance with the policies of the commissioner and provi-
6 sions of this subchapter. The Division of Strategic
7 Planning shall:

8 1. Maintain community and economic development
9 data. Collect, from sources in both the public and
10 private sectors, information regarding the economy,
11 businesses, labor force, building, business sites,
12 infrastructure, natural resources and other elements
13 which are necessary to market and program decisions;

14 2. Provide information. Provide information, as
15 requested, to business clients, local and regional
16 community and economic development organizations and
17 other state agencies regarding economic and business
18 conditions;

19 3. Conduct evaluations. Conduct periodic evalu-
20 ations of the department's community and economic de-
21 velopment programs to ascertain their effectiveness
22 in meeting the articulated goals of those programs;

23 4. Develop programs. Develop demonstration pro-
24 grams and program concepts in response to economic
25 conditions and the evaluation of existing program ac-
26 tivities; and

27 5. Cooperate with State Planning Office. Pro-
28 vide information and cooperate with the State Plan-
29 ning Office in its macroeconomic forecasting activi-
30 ties.

31 Sec. 10. 7. MRSA §403, sub-§2, as enacted by PL
32 1981, c. 335, §1, is amended to read:

33 2. Advice. From time to time, the department
34 shall consult regarding operation and maintenance of
35 the building with, and for any major exhibition shall
36 prior to the exhibition develop a plan after a public
37 hearing and obtain advice on the proposed use of
38 building space from, the following persons: The Com-
39 missioner of Marine Resources; Commissioner of Inland
40 Fisheries and Wildlife; Commissioner of Conservation;

1 and ~~Director of the State Development Office~~ Commissioner of Economic and Community Development.
2

3 **Sec. 11. 7 MRSA §972, as amended by PL 1985, c.**
4 **779, §35, is further amended to read:**

5 §972. Potato Marketing Improvement Committee

6 The commissioner shall appoint an advisory com-
7 mittee, as authorized by Title 5, section 12004, sub-
8 section 9, of 8 members to be known as the Potato
9 Marketing Improvement Committee. The Potato Marketing
10 Improvement Committee shall advise the commissioner
11 on the development and implementation of improved po-
12 tato marketing systems, including the modernization,
13 construction and operation of storage and central
14 packing facilities. The Potato Marketing Improvement
15 Committee shall also advise the commissioner concern-
16 ing the funding and expenditures of the Potato Mar-
17 keting Improvement Fund created pursuant to section
18 973. The Potato Marketing Improvement Committee shall
19 include one member representing the University of
20 Maine System, one member representing the Maine Potat-
21 o Council, one member representing the Maine Potato
22 Commission, one member representing the Maine Potato
23 Sales Association, one member representing the Farmers
24 Home Administration, one member representing the
25 Farm Credit Service, one member representing the
26 ~~State--Development--Office~~ Department of Economic and
27 Community Development and one member representing the
28 public. Where the commissioner finds it appropriate,
29 the members representing the Farmers Home Administra-
30 tion and the Farm Credit Service may serve as a loan
31 review committee and advise him, on a confidential
32 basis, on applications for funding.

33 **Sec. 12. 10 MRSA §917, as amended by PL 1985, c.**
34 **161, §1, is repealed.**

35 **Sec. 13. 10 MRSA §917-A is enacted to read:**

36 §917-A. Purpose

37 The Maine Development Foundation is authorized
38 and directed to foster, assist and participate in ef-
39 forts for economic growth and revitalization, in co-
40 ordination with existing state, regional and local

1 agencies, such efforts to include, but not be limited
2 to, providing for or stimulating the provision of the
3 following:

4 1. Public, private partnerships. The Maine De-
5 velopment Foundation shall strive to:

6 A. Bridge the gap in knowledge and communica-
7 tions between the public and private sectors;

8 B. Build the leadership capacity of public and
9 private sector persons and the institutional ca-
10 capacity of agencies to accomplish economic devel-
11 opment; and

12 C. Expand the traditional business and govern-
13 ment partnership to include other significant
14 sectors of the economy.

15 2. Economic analysis. The Maine Development
16 Foundation may:

17 A. Develop and propose new ideas and recommend
18 changes to State Government and others for the
19 growth and development of the State's economy,
20 including development strategies and economic de-
21 velopment programs to best meet the economic
22 needs, problems and conditions of the State;

23 B. Analyze opportunities to improve the market-
24 ing of Maine products and the development of new
25 markets, especially foreign; and

26 C. Analyze opportunities to promote business in-
27 vestment in Maine.

28 3. Economic education. The Maine Development
29 Foundation may provide Legislators, officials of
30 State Government, business people, municipal offi-
31 cial, development professionals and others with an
32 educational program on the Maine economy, including
33 training, information and experiential learning on
34 the Maine economy, business investment, government
35 operations and the relationship between public policy
36 decisions and business investment, with the goal of
37 strengthening public and private partnership to ac-
38 complish economic development.

1 4. Economic opportunities. The Maine Develop-
2 ment Foundation may:

3 A. Identify and develop specific economic oppor-
4 tunities in the State; and

5 B. Design, coordinate and implement, when neces-
6 sary, development projects of a statewide or
7 broad regional significance.

8 5. Good climate for economic development. The
9 Maine Development Foundation shall strive to promote
10 an improved climate for economic development in the
11 State through judicious use of the public and private
12 nature of the foundation to provide objective analy-
13 sis and develop broad consensus on issues of signifi-
14 cance to the economic health of the State, provided
15 that the promotion does not require the foundation to
16 register as a lobbyist employer pursuant to Title 3,
17 chapter 15, and further provided that the foundation
18 does not advocate to the general public a position on
19 a question as defined in Title 21-A, section 1, sub-
20 section 35.

21 Sec. 14. 10 MRSA §962, as amended by PL 1985, c.
22 714, §5, is further amended by adding after the first
23 paragraph a new paragraph to read:

24 In order to fulfill these purposes and to make
25 the best use of the State's limited resources, it is
26 essential that the Finance Authority of Maine imple-
27 ment its powers, duties and responsibilities a state
28 economic development strategy and the policies and
29 activities of the Department of Economic and Communi-
30 ty Development.

31 Sec. 15. 10 MRSA §964, sub-§3 is enacted to
32 read:

33 3. Consistency of policies and programs. The
34 Finance Authority of Maine shall implement its pow-
35 ers, duties, responsibilities and programs consistent
36 with the state economic development strategy and the
37 policies and activities of the Department of Economic
38 and Community Development.

39 Sec. 16. 10 MRSA §965, sub-§4, ¶A, as enacted by
40 PL 1983, c. 519, §6, is amended to read:

1 A. The Director-of-the-State-Development--Office
2 Commissioner of Economic and Community
3 Development;

4 Sec. 17. 10 MRSA §972, sub-§7, as amended by PL
5 1985, c. 344, §21, is further amended to read:

6 7. Maintain a liaison with other state agencies.
7 Maintain a close liaison with the State-Development
8 Office Department of Economic and Community
9 Development; Department of Agriculture, Food and Rural
10 Resources; Department of Conservation; Department
11 of Marine Resources; and Maine Natural Resource Capital
12 Corporation and provide assistance to facilitate
13 the planning and financing of eligible projects;

14 Sec. 18. 10 MRSA §984, sub-§2, ¶L, as amended by
15 PL 1985, c. 344, §29, is further amended to read:

16 L. Receive advice and assistance from, and coordinate
17 its programs with, the State-Development
18 Office Department of Economic and Community
19 Development, the Maine State Housing Authority,
20 the Maine Development Foundation, the Maine Capital
21 Corporation, the Maine Natural Resource Capital
22 Corporation and other state agencies with
23 relevant expertise. In addition, programs authorized
24 in this subchapter may be coordinated or
25 combined with other public and private national,
26 state, regional or local programs that the agency
27 determines will facilitate the purposes of this
28 subchapter; and

29 Sec. 19. 12 MRSA §7035, sub-§11, as amended by
30 PL 1983, c. 819, Pt. A, §22, is further amended to
31 read:

32 11. Promotion of hunting, fishing and camping.
33 The commissioner may implement a program designed to
34 promote fisheries and wildlife resources and attract
35 hunters and fishermen to the State. This program may
36 include coordination of activities between the public
37 and private sectors and utilization of promotional
38 missions, exhibits, brochures, technical assistance
39 and expertise as necessary to develop and promote
40 hunting, fishing and camping activities within the
41 State. The commissioner shall coordinate this program

1 with the activities of the ~~State-Development-Office~~
2 Department of Economic and Community Development. Any
3 purchases made as a result of that coordination shall
4 be by competitive bid.

5 **Sec. 20.** 20-A MRSA §12704, sub-§2, ¶E, as en-
6 acted by PL 1985, c. 695, §11, is amended to read:

7 E. The economic development programs overseen by
8 the ~~State--Development-Office~~ Department of Eco-
9 nomical and Community Development, or its succes-
10 sor, and other economic development programs and
11 agencies throughout the State;

12 **Sec. 21.** 20-A MRSA §12705, sub-§1, ¶E, as en-
13 acted by PL 1985, c. 695, §11, is amended to read:

14 E. The ~~Director-of-the-State-Development-Office~~
15 Commissioner of Economic and Community
16 Development, or his successor, who shall serve ex
17 officio.

18 **Sec. 22.** 23 MRSA §4207, sub-§3, ¶A, as enacted
19 by PL 1985, c. 398, is amended to read:

20 A. Upon the abandonment of service along all or
21 a portion of a railroad line, the department
22 shall be given the first option to lease or pur-
23 chase, upon just and reasonable terms, the
24 railroad's rights-of-way along the abandoned por-
25 tion of the line. In the event that a lease is
26 negotiated for the rights-of-way, the department
27 shall consult with municipal officials and offi-
28 cers in the municipalities affected by the aban-
29 donment of service along the line to determine
30 the need for preserving the rights-of-way along
31 the abandoned portion of the line for rail trans-
32 portation. If the department finds that the wel-
33 fare of the State would be significantly and ad-
34 versely affected by the loss of the line for
35 railroad transportation purposes, the department
36 shall seek to negotiate the purchase of the aban-
37 doned portion of the line. In making this deter-
38 mination, the department shall consider, among
39 other criteria deemed significant by the depart-
40 ment, future economic development activities and
41 opportunities in the area served by the abandoned

1 railroad service. In addition, the department
2 shall consult with the ~~State Development Office~~
3 Department of Economic and Community Development
4 and the State Planning Office in making the de-
5 termination required in this section.

6 The department shall, in good faith, seek to
7 lease the railroad rights-of-way until it finds
8 that the preservation of the rights-of-way is not
9 necessary for the welfare of the State or until
10 the voters of the State approve or disapprove, at
11 a statewide election, the issue of bonds to pur-
12 chase the rights-of-way along the abandoned por-
13 tion of the line.

14 Nothing in this paragraph may require the depart-
15 ment to lease or purchase the railroad rights-
16 of-way to an entire railroad line or portion
17 thereof for which railroad service has been aban-
18 doned if the railroad corporation owner does not
19 intend to sell, lease or in any other way dispose
20 of the rights-of-way by which railroad service
21 could be easily restored along the abandoned ser-
22 vicing portion of the line.

23 **Sec. 23. 26 MRSA §3**, as amended by PL 1971, c.
24 620, §13, is further amended to read:

25 §3. Records confidential

26 All information and reports recorded by the di-
27 rector or his authorized agents under this Title
28 shall be confidential, and no names of individuals,
29 firms or corporations shall may be used in any re-
30 ports of the director nor made available for public
31 inspection. Records pertaining to the work force,
32 employment patterns, wage rates and other pertinent
33 data shall be made available to the Department of Ec-
34 onomic and Community Development for purposes of
35 analysis, evaluation and promotion of economic devel-
36 opment with the understanding that the confidentiality
37 of the information will be maintained.

38 **Sec. 24. 26 MRSA §1451**, as amended by PL 1983,
39 c. 469, §3, is further amended to read:

40 §1451. Purpose

1 A Comprehensive Career, Occupational and Economic
2 Data-based System is established to provide compre-
3 hensive career and occupational information required
4 for the coordination and efficient delivery of all
5 employment and training programs in the State and--to
6 support-the-state's-economic-development-initiatives.

7 The Comprehensive Career, Occupational and Eco-
8 nomic Data-based System shall consist of 3 2 compo-
9 nents: A planning component for employment and train-
10 ing program planners and administrators; and a career
11 information delivery system component for persons in-
12 volved in the career decision-making process;--and-an
13 economic-data-based-component-to-support-the-economic
14 development-initiatives-of-the-State.

15 Sec. 25. 26 MRSA §1452, as repealed and replaced
16 by PL 1985, c. 695, §17, and c. 737, Pt. A, §73, is
17 repealed and the following enacted in its place:

18 §1452. Maine Occupational Information Coordinating
19 Committee

20 The Maine Occupational Information Coordinating
21 Committee, as established by Title 5, chapter 379,
22 shall support the development, maintenance and opera-
23 tion of the Comprehensive Career, Occupational and
24 Economic Data-based System and foster communication
25 and coordination of education, employment and train-
26 ing programs through the use of the system. The com-
27 mittee shall consist of the Commissioner of Labor,
28 Commissioner of Human Services, Commissioner of Edu-
29 cational and Cultural Services, Commissioner of Eco-
30 nomical and Community Development, Director of the
31 State Planning Office and the chairmen of the Maine
32 Job Training Council, the State Board of Education
33 and the Board of Trustees of the Maine Vocational-
34 Technical Institute System. The Commissioner of Labor
35 and the Commissioner of Educational and Cultural Ser-
36 vices may serve as the representatives of the chair-
37 men of the Maine Job Training Council and the State
38 Board of Education, respectively, upon the agreement
39 of that designation by the Maine Job Training Council
40 and the State Board of Education. The Commissioner
41 of Labor shall be the chairman of the committee, with
42 the Department of Labor serving as the fiscal agent
43 for the committee.

1 Sec. 26. 26 MRSA §1453, §2, as amended by PL
2 1983, c. 469, §3, is further amended to read:

3 2. Facilitate use of occupational and economic
4 information. Facilitate the use of occupational and
5 economic information in planning and allocating em-
6 ployment, training, vocational education, and voca-
7 tional rehabilitation programs and economic--develop-
8 ment-activities;

9 Sec. 27. 26 MRSA §1453, sub-§4, as amended by PL
10 1983, c. 469, §3, is further amended to read:

11 4. Provide information. Provide the Governor
12 with the comprehensive occupational and economic in-
13 formation required to improve the coordination of em-
14 ployment, training, vocational education and voca-
15 tional rehabilitation programs to meet commonly de-
16 fined needs, ~~--achieve economic development goals and~~
17 ~~support business development initiatives; and~~

18 Sec. 28. 30 MRSA §4521, sub-§2, as enacted by PL
19 1973, c. 534, §4 is amended to read:

20 2. Revisions. The Governor may, after consulta-
21 tion with the State Planning Office Department of Ec-
22 onomic and Community Development, regional planning
23 commissions and the officers of the municipalities
24 and counties involved, revise the district boundaries
25 to reflect changing conditions or otherwise to ful-
26 fill the purposes of this chapter.

27 Sec. 29. 30 MRSA §4522, sub-§1, §A, as enacted
28 by PL 1973, c. 534, §4, is amended to read:

29 A. Where 2 or more contiguous regional planning
30 commissions are affected, the following shall
31 hold:

32 (1) When it is determined by the State
33 Planning Office Department of Economic and
34 Community Development that a project clearly
35 concerns the jurisdictional area of only one
36 regional planning commission, that commis-
37 sion shall be the authorized review agency;

1 (2) When a project clearly concerns the jur-
2isdictional area of 2 or more commissions
3 as determined by the State--Planning--Office
4 Department of Economic and Community
5 Development, joint receipt and review and
6 comment shall be required.

7 **Sec. 30. 30 MRSA §4863, sub-§1, ¶C, as amended**
8 by PL 1985, c. 650, §4, is further amended to read:

9 C. The designation of captured assessed value of
10 property within a tax increment financing dis-
11 trict shall be subject to the following limita-
12 tions:

13 (1) The increase in captured assessed value
14 of property within tax increment financing
15 districts within any county may not exceed
16 the lesser of 1% of the total annual value
17 of equalized taxable property within the
18 county annually or \$20,000,000 within a
19 24-month period; if 1% of a county's equal-
20 ized taxable value is less than \$5,000,000,
21 the annual limit for that county is
22 \$5,000,000;

23 (2) ~~The Director--of--the--State--Development~~
24 ~~Office Commissioner of Economic and Communi-~~
25 ~~ty Development~~ shall promulgate any rules
26 necessary to allocate or apportion the des-
27 ignation of captured assessed value of prop-
28 erty within tax increment financing dis-
29 tricts in accordance with these limitations;
30 and

31 (3) Fifteen percent of the project costs
32 for the development program must be incurred
33 within 9 months of the designation by the
34 ~~Director--of--the--State--Development--Office~~
35 ~~Commissioner of Economic and Community~~
36 ~~Development~~ of the tax increment financing
37 district. The development program must be
38 completed within 5 years of the designation
39 by the ~~Director--of--the--State--Development~~
40 ~~Office Commissioner of Economic and Communi-~~
41 ~~ty Development~~ of the tax increment financ-
42 ing district.

1 Sec. 31. 30 MRSA §4863, sub-§1, ¶D, as amended
2 by PL 1985, c. 163, §4, is further amended to read:

3 D. Before final designation of a tax increment
4 financing district, the ~~Director of the State De-~~
5 ~~velopment Office~~ Commissioner of Economic and
6 Community Development shall review the proposal
7 to ensure that it is in compliance with statutory
8 requirements and shall identify tax shifts within
9 the county where the district will exist. A des-
10 ignation under this subsection shall be effective
11 upon approval by the governing body of the munic-
12 ipality and, for tax increment financing dist-
13 tricts, the ~~Director of the State Development~~
14 ~~Office~~ Commissioner of Economic and Community
15 Development. If the municipality has a charter,
16 the designation shall be done in accordance with
17 the provisions of the charter.

18 **Sec. 32. Transition clause.**

19 1. Funds transferred. Notwithstanding the Maine
20 Revised States, Title 5, sections 1585 and 1586, all
21 accrued expenditures, assets, liabilities, balances,
22 appropriations or allocations, transfers, revenues or
23 other available funds in any account or subdivision
24 of an account of any unit of State Government, in-
25 cluding any department, bureau, division, program or
26 other subunit of a state agency, affected by this Act
27 shall remain with that unit following transfer to an-
28 other department.

29 2. Rules and procedures. All rules and proce-
30 dures currently in effect and in operation pertaining
31 to any unit or program and which are in compliance
32 with this Act shall remain in effect until rescinded
33 or amended as provided by state law.

34 3. Transfer of employee benefits. Any employees
35 of any unit of State Government, including depart-
36 ment, office, bureau, division, section, program or
37 any portion thereof, who may be transferred to the
38 Department of Economic and Community Development
39 shall be transferred with their accrued rights and
40 benefits. The accrued fringe benefits, including va-
41 cation and sick leave, health and life insurance, and
42 retirement of those personnel shall remain with those
43 personnel.

- 1 -Overseeing tax increment financing activi-
2 ties
3 -Managing the Community Industrial Buildings
4 Fund
5 -Providing resources and assistance to local
6 planning efforts
7 -Providing resources and assistance to re-
8 gional planning efforts
- 9 3. Office of Tourism
10 -Tourism marketing and promotion
11 -Encouraging group sales, meetings and con-
12 ventions
13 -Assisting tourism businesses
14 -Assisting regional tourism programs
- 15 4. Division of Strategic Planning
16 -Market-driven research and analysis to sup-
17 port business development, community devel-
18 opment and tourism.
19 -Development program evaluation
20 -Demonstration program development

21 In addition, it consolidates the relationship be-
22 tween this new department and other state agencies,
23 as well as organizations such as the Finance Authori-
24 ty of Maine and the Maine Development Foundation.

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