

MAINE STATE LEGISLATURE

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**STATE OF MAINE
SENATE
114TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT " A " to S.P. 175, L.D. 332, Bill, "An Act Concerning Amendments to the Community Industrial Buildings Programs "

Amend the bill by inserting after the title and before the enacting clause the following:

'Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, there are municipalities which currently cannot compete for financing for a community industrial building because a community industrial building remains unoccupied in the labor market areas of which these municipalities are a part; and

Whereas, one of these buildings has been unoccupied for 7 years; and

Whereas, the municipalities which are ineligible under current law would like to apply immediately for community industrial building funding; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, '

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 5 MRSA §13083, sub-§1, ¶¶B and C, as enacted by PL 1987, c. 534, Pt. A, §§17 and 19, are amended to read:

B. Within the separate rural and urban accounts, preference shall be given to projects in economically deprived areas

1 within labor market ~~districts~~ areas declared to be in need
2 of economic development assistance by the Department of
3 Labor.

5 C. Not more than one unoccupied community industrial
6 building project may be financed in a labor market area at
7 any one time, except as provided in paragraph D.

9 **Sec. 2. 5 MRSA §13083, sub-§1, ¶¶D and E are enacted to read:**

11 D. If a community industrial building remains unoccupied
12 for 3 or more years immediately following completion of the
13 building, the labor market area in which the building is
14 located may be authorized one new community industrial
15 building, provided that:

17 (1) No more than 2 unoccupied community industrial
18 buildings are financed under this article in a labor
19 market area in which a community industrial building
20 remains unoccupied for 3 or more years; and

21 (2) No more than one unoccupied community industrial
22 building is financed at any one time under this article
23 in a municipality.

25 E. The Department of Economic and Community Development
26 shall charge interest on loans or funds provided under this
27 article to the local development corporation for a community
28 industrial building that remains unoccupied for 3 or more
29 years following completion of the building. The department
30 shall adopt rules under the Maine Administrative Procedure
31 Act, Title 5, chapter 375, with respect to rates of
32 interest, the duration of interest payments and any other
33 terms to which local development corporations shall be
34 subject under this paragraph.

37 **Emergency clause.** In view of the emergency cited in the
38 preamble, this Act shall take effect when approved.'

41 STATEMENT OF FACT

42 This amendment provides that a labor market area may receive
43 financing under the community industrial buildings programs for
44 no more than 2 unoccupied industrial buildings, provided that:

45 1. One industrial building has been unoccupied for 3 or
46 more years following completion of the building; and

47 2. No more than one unoccupied industrial building is
48 financed at any one time in a single municipality.

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3 The Department of Economic and Community Development will
5 charge interest to local development corporations for buildings
7 that remain unoccupied for 3 or more years. The department will
adopt rules concerning interest rates, duration of payments and
other terms to which local development corporations will be
subject.

9

11 The intent of the bill is to remove a penalty that
13 municipalities suffer under the current law. Presently, if there
15 is an unoccupied industrial building in one municipality in a
17 labor market area, which can be as large as a county, no other
municipality in that labor market area may obtain community
industrial building financing through the State until that
unoccupied building is sold. Under this amendment, the penalty
applies for a maximum of 3 years. After 3 years, another
municipality in the same labor market area may receive industrial
building financing through the State.

Reported by Senator Weymouth for the Committee on Housing
and Economic Development. Reproduced and Distributed
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(5/5/89)

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