

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

SECOND REGULAR SESSION-1992

Legislative Document

No. 2210

H.P. 1568

House of Representatives, January 23, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on Housing and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative MELENDY of Rockland.

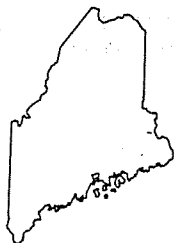
STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-TWO

An Act to Correct an Omission from the Recodification of Title 30.

(AFTER DEADLINE)

(EMERGENCY)



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

4 Whereas, the Maine Revised Statutes, Title 30 was recodified
6 as Title 30-A in 1989; and

8 Whereas, language in Title 30 designating the Director of
the Maine State Housing Authority as the official responsible for
10 certifying that housing-related bonds meet the bond volume
requirements of the Internal Revenue Code was unintentionally
12 omitted from the recodification of the Act; and

14 Whereas, the unintended repeal of this designation has
created uncertainty concerning the issuance of the Maine State
16 Housing Authority's bonds, the proceeds of which are used to
finance housing for low-income people in the State; and

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

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

26 **Sec. 1. 30-A MRSA §4741, sub-§14,** as amended by PL 1991, c.
28 622, Pt. J, §21 and affected by §25, is further amended to read:

30 **14. State housing credit agency.** The Maine State Housing
Authority is designated the housing credit agency for the State
32 and may receive and allocate, according to a process established
by rulemaking pursuant to Title 5, chapter 375, subchapter II,
34 the annual state housing credit ceiling for the low-income
housing credit established by the United States Code, Title 26;
36 and

38 **Sec. 2. 30-A MRSA §4741, sub-§15,** as enacted by PL 1991, c.
40 622, Pt. J, §22 and affected by §25, is amended to read:

42 **15. State weatherization, conservation and fuel assistance**
agency. The Maine State Housing Authority is designated the
weatherization, energy conservation and fuel assistance agency
44 for the State and may apply for, receive, distribute and
administer federal funds on behalf of the State for
46 weatherization, energy conservation and fuel assistance pursuant
to the Weatherization Assistance for Low-income Persons Program
48 administered through the United States Department of Energy and
the Low-income Home Energy Assistance Program administered
50 through the United States Department of Health and Human Services

2 in accordance with rules adopted under the Maine Administrative
Procedure Act, and

4 **Sec. 3. 30-A MRSA §4741, sub-§16** is enacted to read:

6 16. Certification of bonds. The director of the Maine
State Housing Authority is the State's designee to certify to the
8 United States Secretary of the Treasury that housing-related
bonds issued in the State satisfy the applicable ceiling
10 requirements of the federal Internal Revenue Code.

12 **Sec. 4. Legislative intent.** It is the intent of the Legislature
that this Act be construed as correcting an error resulting from
14 the recodification of the Maine Revised Statutes, Title 30 by
enacting in Title 30-A language that was intended to be carried
16 over from Title 30 as part of the recodification.

18 **Sec. 5. Ratification.** All certifications that housing-related
bonds issued in the State satisfy the applicable ceiling
20 requirements of the federal Internal Revenue Code made by the
director of the Maine State Housing Authority between February
22 28, 1989 and the effective date of this Act are ratified and
validated.

24 **Emergency clause.** In view of the emergency cited in the
26 preamble, this Act takes effect when approved.

28
30 **STATEMENT OF FACT**

32 The bill corrects an error resulting from the recodification
of the Maine Revised Statutes, Title 30 as Title 30-A. Language
34 designating the director of the Maine State Housing Authority as
the official responsible for certifying that housing-related
bonds meet the bond volume requirements of the federal Internal
36 Revenue Code was unintentionally dropped when Title 30-A was
enacted. This bill puts the old language back in the laws.