

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1408

S.P. 464

In Senate, March 20, 2003

An Act To Refine the Maine Rural Development Statutes

Submitted by the Department of Economic and Community Development pursuant to Joint Rule 204.

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BROMLEY of Cumberland.
Cosponsored by Representative SMITH of Monmouth and
Senator: SHOREY of Washington, Representative: HATCH of Skowhegan.

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

2
4 **Sec. 1. 5 MRSA §13120-D, sub-§7**, as enacted by PL 2001, c. 703, §6, is amended to read:

6 **7. Employees.** The authority may employ an executive
8 director and such other technical experts, agents and employees,
10 permanent and temporary, that it requires and may determine their
12 qualifications, duties and compensation. Permanent employees of
14 the authority are eligible to elect to participate in the Maine
16 State Retirement System, the state employee health plan under
section 285, any state-deferred compensation plan or any other
plan or program adopted by the members to the extent the members
may determine. For required legal services, the authority may
employ or retain its own counsel and legal staff.

18 **Sec. 2. 5 MRSA §13120-N, sub-§1, ¶D**, as enacted by PL 2001, c. 703, §6, is amended to read:

20 D. The authority shall adopt rules under chapter 375 with
22 respect to:

24 (1) The methodology and criteria for allocating funds
to community industrial building projects;

26 (2) The process through which municipalities and local
28 development corporations must apply for community
industrial building funds;

30 (3) Rates of interest, the duration of interest
32 payments and any other terms to which municipalities
and local development corporations must be subject
under this paragraph; and

34 (4) Other matters necessary to the proper
36 administration of this section and section 13120-O.

38 Rules adopted under this paragraph are ~~major--substantive~~
40 routine technical rules pursuant to chapter 375, subchapter
42 ~~II-A--and--are--subject--to--review--by--the--joint--standing~~
~~committee--of--the--Legislature--having--jurisdiction--over~~
~~economic-development-matters 2-A.~~

44 **Sec. 3. 5 MRSA §13120-O, sub-§3**, as enacted by PL 2001, c. 703, §6, is repealed.

46 **Sec. 4. 5 MRSA §13120-P, sub-§2, ¶A**, as enacted by PL 2001, c. 48
703, §6, is amended to read:

2 A. The property has been previously and materially used as
a commercial facility or the property is suitable for
4 adaptive use as a commercial or industrial facility;

6 **SUMMARY**

8 This bill clarifies that employees of the Maine Rural
Development Authority are eligible for the state employee health
10 plan, changes the rulemaking designation for the community
industrial building program from major substantive to routine
12 technical and removes the language that requires that unused
funds be deposited with the Treasurer of State. The bill also
14 expands the types of buildings the authority may invest in under
the Commercial Facilities Development Program to include any
16 buildings suitable for adaptive reuse as commercial or industrial
facilities.