# MAINE STATE LEGISLATURE

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## 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

**Legislative Document** 

No. 1020

H.P. 704

House of Representatives, February 24, 2005

An Act To Authorize a General Fund Bond Issue To Stimulate Economic Growth and Job Creation through Investments in the Maine Economy

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

Millient M. Macfarland MILLICENT M. MacFARLAND Clerk

Presented by Representative SMITH of Monmouth. (GOVERNOR'S BILL) Cosponsored by Representatives: BEAUDETTE of Biddeford, JACOBSEN of Waterboro, O'BRIEN of Lewiston, RECTOR of Thomaston, Speaker RICHARDSON of Brunswick, Senators: BRYANT of Oxford, DOW of Lincoln.

Preamble. Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14 to authorize the issuance of bonds on behalf of the State of Maine to provide funds as described in this Act,

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

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#### PART A

Sec. A-1. Authorization of bonds. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$78,850,000 for the purposes described in section 6 of this Part. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 10 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature.

Sec. A-2. Records of bonds issued kept by Treasurer of State. The Treasurer of State shall keep an account of each bond showing the number of the bond, the name of the successful bidder to whom sold, the amount received for the bond, the date of sale and the date when payable.

Sec. A-3. Sale; how negotiated; proceeds appropriated. The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which must be held by the Treasurer of State and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Part. Any unencumbered balances remaining at the completion of the project in this Part lapse to the debt service account established for the retirement of these bonds.

Sec. A-4. Interest and debt retirement. The Treasurer of State shall pay interest due or accruing on any bonds issued under this Part and all sums coming due for payment of bonds at maturity.

Sec. A-5. Disbursement of bond proceeds. The proceeds of the bonds must be expended as set out in this Part under the direction and supervision of the Department of Agriculture, Food and Rural Resources, the Department of Economic and Community Development, the Department of Education, the Department of Marine Resources, the Finance Authority of Maine, the Maine State Cultural Affairs Council, the Maine State Housing Authority, the Small Enterprise Growth Board and the University of Maine System.

Page 1-LR2244(1)

2	Sec. A-6. Allocations from General Fund bond issue. of the sale of the bonds authorized under this Par-	-
4	expended as designated in the following schedule.	
6	ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF	
8	Durani dan farada faratha Waller Direction 1	#22 000 000
10	Provides funds for the Maine Biomedical Research Fund to support capital infrastructure and equipment in	\$22,000,000
12	anticipation of \$100,000,000 in federal and private funds. Eligible institutions	
14	are those delineated in the Maine Revised Statutes, Title 5, section 13103.	
16	Provides funds to purchase the property	\$850,000
18	known as Black Duck Cove on Great Wass Island to serve as the home of the Downeast Institute	\$650,000
20	for Applied Marine Research and Education.	
22	Provides funds for the Marine Infrastructure and Technology Fund administered by the Maine	\$9,000,000
24	Technology Institute to match \$9,000,000 in federal and private funding for competitive	
26	capital infrastructure grants to nonprofit marine research laboratories, institutions and	
28	state governmental and quasi-governmental agencies.	
30	Provides funds to the Forestry and Agriculture Research Fund administered by the Maine	\$5,000,000
32	Technology Institute to match \$5,000,000 in federal and private funding for	
34	competitive capital infrastructure grants to nonprofit research laboratories, institutions	
36	and state governmental and quasi-governmental agencies.	
38	SMALL ENTERPRISE GROWTH BOARD	
40	Provides funds for the Small Enterprise	\$2,000,000
42	Growth Fund to make equity investments in small Maine companies with the potential	ψ2,000,000
44	for high growth.	
46	CULTURAL AFFAIRS COUNCIL, MAINE STATE	
48	Provides funds for the New Century Community Program in anticipation of \$15,000,000 in	\$5,000,000
50	matching funds to invest in capital improvements	

2	<pre>improving cultural assets, including libraries, museums, historical buildings, theaters and arts facilities.</pre>	
4		
6	AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF	
8	Provides funds for sustainable water sources and irrigation system development, to leverage	\$1,000,000
10	private funds of at least \$800,000.	
12	Funds to replenish the Agricultural Marketing Loan Fund to support farm business development,	\$1,000,000
14	to leverage private funds of at least \$600,000.	
16	MARINE RESOURCES, DEPARTMENT OF	
18	Provides funds for grants through the Working Waterfronts Conservation Program	\$3,000,000
20	to leverage \$3,000,000 in matching funds.	
22	UNIVERSITY OF MAINE SYSTEM	
24	Provides funds to furnish and outfit the new bioscience building at the University	\$5,000,000
26	of Southern Maine with laboratories and equipment to leverage \$1,200,000 in	
28	federal funds.	
30	State match to build the University of Maine cold water aquaculture marine science	\$6,000,000
32	<pre>facility. Funds will leverage approximately \$10,000,000 in federal funds.</pre>	
34	Funds to outfit the Laboratory for Surface	\$4,000,000
36	Science Technology clean room facility at the University of Maine with state-of-the-art	
38	nanofabrication tools and instrumentation. These funds help leverage \$4,000,000 in	
40	federal grants and contracts for research.	
42	Funds to renovate Camden Hall on the University of Maine-Bangor campus for a	\$3,000,000
44	graduate school for biomedical science.	
46	Provides funds for the career center facility at the University of Southern	\$2,000,000
48	Maine's Lewiston-Auburn College. Funds will be used for capital costs	
50	and equipment for the center.	

2	FINANCE AUTHORITY OF MAINE	
4	Provides education loan repayment incentives to retain and recruit skilled workers in Maine.	\$1,000,000
6		
8	Provides funds for Recapitalization of the Economic Recovery Loan Program.	\$3,000,000
10	EDUCATION, DEPARTMENT OF	
12	Provides funds for the development of the Sunrise Business and Career Center in the	\$1,000,000
14	Town of Jonesboro.	
16	MAINE STATE HOUSING AUTHORITY	
18	Provides funds, in anticipation of \$1,000,000 in matching federal funds, for family and elderly	\$1,000,000
20	housing options for Native American tribes through the Four Directions Development Corporation.	
22	Provides funds for the development of	\$4,000,000
24	affordable workforce housing and downtown housing and for weatherization and	φ1,000,000
26	home repair in anticipation of an additional \$9,000,000 in other public and private funding.	
28	Sec. A-7. Contingent upon ratification of bond issue.	Sections 1
30	to 6 do not become effective unless the people of ratify the issuance of the bonds as set forth in this	of the State
32	Sec. A-8. Appropriation balances at year-end. At the	and of oach
34	fiscal year, all unencumbered appropriation balances state money carry forward. Bond proceeds that hav	representing
36	expended within 10 years after the date of the sale lapse to General Fund debt service.	of the bonds
38	-	
40	Sec. A-9. Bonds authorized but not issued. Any bonds but not issued, or for which bond anticipation no	
	issued within 5 years of ratification of this	Part, are
42	deauthorized and may not be issued, except that the may, within 2 years after the expiration of that 5-ye	-
44	extend the period for issuing any remaining unissibond anticipation notes for an additional amount of	ued bonds or
<b>4</b> 6	exceed 5 years.	
48	Sec. A-10. Referendum for ratification; submission	

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to

- voters of the State at a statewide election held in June following passage of this Act. The municipal officers of this State shall notify the inhabitants of their respective cities,
- towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or
- 6 rejection of this Part by voting on the following question:
- 8 "Do you favor a \$78,850,000 bond issue to stimulate economic growth and job creation through investments in the Maine
  10 economy in anticipation of approximately \$148,000,000 in federal and private funds? The bonds will be used for the following purposes:
  - 1. The sum of \$22,000,000 for medical research and development by Maine-based biomedical research institutions in anticipation of approximately \$100,000,000 in federal and private funds for health research to cure disease and to retain Maine graduates by providing high-quality Maine jobs;
  - 2. The sum of \$850,000 to purchase the property known as Black Duck Cove on Great Wass Island to serve as the home of the Downeast Institute for Applied Marine Research and Education;
    - 3. The sum of \$9,000,000 for marine research and development in anticipation of \$9,000,000 in federal and private funding for competitive capital infrastructure grants to sustain and develop Maine's marine-based economy;
      - 4. The sum of \$5,000,000 for forestry and agriculture research and development in anticipation of \$5,000,000 in federal and private funding for competitive grants to sustain Maine's forestry and agricultural economy;
        - 5. The sum of \$2,000,000 for the Small Enterprise Growth Fund for equity investments in small Maine companies with potential for high growth to leverage private equity investments;
    - 6. The sum of \$5,000,000 for the New Century Community Program for capital improvements to cultural resources;
- 7. The sum of \$1,000,000 for sustainable water sources and irrigation system development to leverage private funds of at least \$800,000;
  - 8. The sum of \$1,000,000 to replenish the Agricultural Marketing Loan Fund to support farm business development, to leverage private funds of at least \$600,000;

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2	Waterfronts Conservation Program to leverage \$3,000,000 in matching funds;
4	10. The sum of \$5,000,000 to furnish and outfit the new
6	bioscience building at the University of Southern Maine with laboratories and equipment to leverage \$1,200,000 in federal
8	funds;
10	11. The sum of \$6,000,000 to build the University of Maine cold water aquaculture marine science facility to leverage
12	approximately \$10,000,000 in federal funds;
14	12. The sum of \$4,000,000 to outfit the Laboratory for Surface Science Technology clean room facility at the
16 18	University of Maine with state-of-the-art nanofabrication tools and instrumentation to leverage \$4,000,000 in federal grants and contracts for research;
10	grants and contracts for research;
20	13. The sum of \$3,000,000 to renovate Camden Hall on the University of Maine-Bangor campus for a graduate school for
22	biomedical science;
24	14. The sum of \$2,000,000 for capital costs and equipment for the career center facility at the University of Southern
26	Maine's Lewiston-Auburn College;
28	15. The sum of \$1,000,000 for education loan repayment incentives through the Finance Authority of Maine to retain
30	and recruit skilled workers in Maine;
32	16. The sum of \$3,000,000 for recapitalization of the Economic Recovery Program through the Finance Authority of
34	Maine;
36	17. The sum of \$1,000,000 for the development of the Sunrise Business and Career Center in the Town of Jonesboro;
38	
40	18. The sum of \$4,000,000 to provide funds for the development of affordable workforce housing and downtown housing and for weatherization and home repair in
42	anticipation of an additional \$9,000,000 in other public and private funding; and
44	10 mbs
46	19. The sum of \$1,000,000 for family and elderly housing options for Native American tribes through the Four Directions Development Corporation to help attract
48	\$1,000,000 in federal funds."

	the legal voters of each city, town and plantation shall
2	vote by ballot on this question and designate their choice by a
4	cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted,
6	counted and declared in open ward, town and plantation meetings
6	and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review
8	the returns and, if a majority of the legal votes are cast in
10	favor of this Part, the Governor shall proclaim the result without delay, and this Part becomes effective 30 days after the
10	date of the proclamation.
12	
14	The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this
	Part necessary to carry out the purposes of this referendum.
16	PART B
18	
20	Sec. B-1.12 MRSA c. 633 is enacted to read:
20	CHAPTER 633
22	
24	WORKING WATERFRONT
24	§6981. Permanent working waterfront protection
26	
	1. Objectives. The department shall establish a grant
28	program for the acquisition of real estate and interest in real
2.0	estate that constitutes working waterfront in coastal harbors in
30	which the commercial fisheries are under threat due to the loss
32	of essential waterfront properties and facilities that provide working access.
32	WOLKING ACCESS.
34	2. Selection criteria. The department shall develop
2.6	selection criteria with which to evaluate applications for
36	investment in protected working waterfront properties. The selection criteria must include, without limitation:
38	selection circella musc include, without limitation:
	A. The economic significance of the property to the
40	commercial fisheries industry in the immediate vicinity and
43	in the State as a whole;
42	B. The availability of alternative working waterfront
44	properties in the same vicinity;
16	C. The degree of community support for the support
46	C. The degree of community support for the proposed investment;
48	
	D. The level of threat of conversion to uses incompatible
50	with commercial fisheries: and

- 2 The utility of the proposed protected property for commercial fisheries uses in terms of its natural characteristics and developed infrastructure.
- 3. Interests acquired; permanence. The department may 6 acquire real estate interests described under subsection 1 directly from willing property owners or may make acquisition 8 grants to local governments and to organizations qualified to 10 hold conservation easements under Title 33, chapter 7, subchapter 8-A. Grants made pursuant to this section are for the purpose of acquiring real property in both fee and less-than-fee simple 12 interest, including, but not limited to, conservation easements, 14 access easements and other permanent interests in land. The department shall include, as a condition of any acquisition and 16 grant made under this section, the requirement that the protected property may not be used, altered or developed in a manner that precludes its use by commercial fisheries. As an additional 18 condition, the department must retain a permanent right of first 20 refusal on any property acquired in fee or protected by conservation easement. Exercise of the right of first refusal must be at a price determined by an independent professional 22 appraiser based on the value of the property to a commercial fishery at the time of exercise of the right. The department may 24 assign this right to a commercial fishery or to a local 26 government if, in the department's judgment, such an assignment is consistent with the purposes of this chapter.

4. Matching funds. For each grant made under this section, the department shall require that the grant recipient provide matching funds at least equal to the amount of the grant.

Sec. B-2. Application; contingent on bond issue. This Part takes effect only if the general revenue bond issue in Part A is approved by the voters of this State.

#### PART C

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Sec. C-1. 7 MRSA §306-A, sub-§3, ¶B, as enacted by PL 1999, c. 72, §5, is amended to read:

At least 25% of the total cost of any project must be funded by the applicant or applicants and at least 10% of the total cost must be funded from nonpublic sources. single grant may not exceed 20% of the total funds available to be granted in a given year; however, in no case may a single grant exceed \$30,000 All projects funded by a grant must have a match, the percentage of which must be determined by the commissioner prior to any request for proposals;

2	Sec. C-2. / MRSA 9434, Sub-991-A and 3 are enacted to read:
4	1-A. Authority. "Authority" means the Finance Authority of Maine.
6	
8	3. Fund. "Fund" means the Agricultural Marketing Loan Fund established in Title 10, section 1023-J.
10	Sec. C-3. 7 MRSA §435, as amended by PL 2003, c. 168, §§1 to 3, is repealed.
12	Sec. C-4. 7 MRSA §§435-A, 435-B and 435-C are enacted to read:
14	_
1.6	§435-A. Administration of Agricultural Marketing Loan Fund
16	The commissioner shall administer the Agricultural Marketing
18	Loan Fund established under Title 10, section 1023-J in accordance with this subchapter. The commissioner may contract
20	with the authority to assist in the administration of this subchapter.
22	
	1. Fee for administrative costs. The commissioner may
24	establish by rule in accordance with section 437 a fee for administrative costs on loans made under this subchapter in
26	excess of \$100,000. This fee may not exceed 1% of the loan.
28	2. Interest rate. The interest rate for loans made under this subchapter is 5% per year.
30	3. Operating account. The Agricultural Marketing Loan Fund
32	Operating Account is established. This account draws funds from
	the fund on a periodic basis to be determined by the commissioner
34	to cover costs of administering the fund and any loans or grants made from the fund.
36	4. Report. The commissioner shall submit a report on or
38	before March 1st of each year to the joint standing committee of the Legislature having jurisdiction over agricultural matters.
40	The report must include a summary of loans made during the
42	previous fiscal year and loans outstanding, categorized by the types of agricultural enterprises receiving the loans.
44	§435-B. Use of fund
46	1. Money from issuance of bonds. Any money credited to the fund from the issuance of bonds on behalf of the State for
48	financing loans for agricultural enterprises may be used only for the following purposes:

2	A. To provide technical assistance to agricultural enterprises in this State for the design, construction or
4	improvement of commodity storage buildings, production
6	machinery and packing and marketing facilities;
8	B. To provide loans for the purchase, construction or renovation of buildings, equipment, docks, wharves, piers or
10	vessels used in connection with a commercial agricultural
10	<pre>enterprise;</pre>
12	C. To provide loans for the purchase or improvement of land:
14	(1) In connection with development of new cranberry acreage;
16	(2) For improving on to movide direct
18	(2) For irrigation reservoirs or to provide direct access to water for irrigation;
20	(3) Necessary for the start-up of a new agricultural enterprise;
22	
24	(4) For the expansion of an existing agricultural enterprise when the land acquisition is necessary to
24	comply with land use regulations; or
26	(5) For the improvement of pastureland, including
28	seeding and actions to promote rotational grazing; and
30	D. For the development of a business plan in accordance
32	with the provisions of section 436-A.
32	2. Support for dairy farmers. At the time of a loan
34	insurance commitment from the authority, the commissioner may
36	pledge money in the fund as security for, and apply money in the
30	fund to the payment of principal, interest and other amounts due on, a term loan insured by the authority to an eligible dairy
38	farmer. In order to provide monetary support for Maine milk
	producers, the commissioner may take actions and direct the
40	authority to take actions to provide support, including:
42	A. Entering into agreements necessary to sell, assign or otherwise pledge amounts in the aggregate principal amount
44	of loans and undivided interests in a pool of loans; and
16	B. Assigning or pledging any cash balances in the fund,
46	mortgages or other security to provide assurance that
48	amounts provided as monetary support by the commissioner to milk producers are returned to their original sources.

- 3. Use of loan repayments and earned interest. Repayment

  of loans and interest on loans made from the fund must be credited to the fund and may be used for the purposes stated in this section or section 436. Interest earned on money in the fund and interest earned on loans made from the fund may be used to pay the administrative costs of processing loan applications, to the extent that these costs exceed the fee for administrative.
- to the extent that these costs exceed the fee for administrative costs established pursuant section 435-A, subsection 1.
- 10
  4. Loans for potato storage facilities. A purchaser of a modern storage facility, the purchase of which was financed with a state loan from the Potato Marketing Improvement Fund, established in Title 10, section 1023-N, may receive a loan from the fund, but may not receive a loan for the same project that was financed by the Potato Marketing Improvement Fund. The commissioner shall adopt rules in accordance with section 437 to implement this subsection. Subsequent purchasers of the property may assume mortgages obtained from the fund on terms and conditions determined by the commissioner.

## §435-C. Conditions and restrictions on agricultural marketing loans

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24 <u>Agricultural marketing loans made from the fund under this</u>
<u>subchapter are subject to the following restrictions and</u>
26 <u>conditions.</u>

- 1. Project with total cost in excess of \$100,000. An agricultural marketing loan may not exceed 75% of the project cost when the total project cost exceeds \$100,000. The commissioner may not approve a loan for a project with a total cost in excess of \$100,000 unless the loan applicant demonstrates a commitment of private funds of at least 5% of the total cost of the project.
- 2. Cooperative project with total cost in excess of \$100,000. Notwithstanding subsection 1, in order to encourage the undertaking of cooperative projects by 2 or more agricultural enterprises, an agricultural marketing loan may be provided when 2 or more cooperating agricultural enterprises as a group demonstrate a commitment of private funds of at least 5% of the total cost of the project.
- 44 3. Project with total cost of \$100,000 or less. An agricultural marketing loan may not exceed 90% of the project cost when the total cost of the project is \$100,000 or less.
- 48 4. Loans for land purchases for new agricultural enterprises. An agricultural marketing loan for the purchase of

land	ne	cessary	for	the	start-up	of	a	new	agricultural	enterprise
may r	not	exceed	\$100	,000	<u>.</u>				-	-

- 5. Loans for aquacultural enterprises. When considering loans for aquacultural enterprises, the commissioner may consult with the Department of Marine Resources.
- 8 6. Conditions prescribed by rules. An agricultural marketing loan is subject to other terms and conditions
  10 prescribed by rule in accordance with section 437.
  - Sec. C-5. 7 MRSA §437, as enacted by PL 1995, c. 658, §1, is repealed and the following enacted in its place:

## §437. Rulemaking

The commissioner shall adopt rules to implement this subchapter. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. The rules must include provisions to ensure that use of the fund for the purchase of a building that was financed under the Potato Marketing Improvement Fund is consistent with the purposes of this subchapter.

The commissioner may establish, by rule, terms and conditions for loans made under this subchapter, including, but not limited to, a mechanism for reserving funds for or giving priority to projects for agricultural enterprises or in areas of the State determined by the commissioner to require special assistance.

Sec. C-6. 10 MRSA §1023-J, as amended by PL 2003, c. 578, §8, is further amended to read:

#### §1023-J. Agricultural Marketing Loan Fund

The Agricultural Marketing Loan Fund, referred to in this section as the "fund," is created. The fund must be deposited with and maintained by the Finance Authority of Maine. The fund must be administered by the Commissioner of Agriculture, Food and Rural Resources in accordance with Title 7, chapter 101, subchapter 1-D. All money received by the Finance Authority of Maine from any source for the development and implementation of an improved agricultural marketing loan program must be credited to the fund. Any money credited to the fund from the issuance of bonds on behalf of the State for financing loans for agricultural enterprises may be used only for the following purposes: to provide assistance to agricultural enterprises in this State for the design, construction or improvement of commodity and storage buildings-and-packing-and-marketing-facilities;-for-the-purchase,-

construction or renovation of buildings, equipment, docks, wharves, piers or vessels used in connection with a commercial agricultural enterprise; for the purchase of land in connection with development of new granberry agreage; for the purchase of land for irrigation reservoirs or to provide direct access to water for irrigation; for the purchase of land necessary for the start-up of a new agricultural enterprise; for the expansion of an existing agricultural enterprise when the land acquisition is necessary to comply with land use regulations; for the development of a business plan in accordance with the provisions of Title 7, section 436-A; for improvements to pastureland, including seeding and actions to promote rotational grazing, or, if the commissioner so approves at the time of loan insurance commitment, to pledge money in the fund as security for, and to apply money in the fund to, payment of principal, interest and other amounts due on any term loans insured by the Finance Authority of Maine to an eligible dairy farmer may be used only in accordance with Title 7, chapter 101, subchapter 1-D. Repayment of these leans and interest on these leans must be credited to the fund and may be used for the purposes stated in this section or Title 7, section 436. Interest earned on money in the fund and interest earned on leans made from the fund may be used to pay the administrative costs of processing loan applications, to the extent that these costs exceed the fee for administrative costs established by Title 7, section 435, subsection-4-

A purchaser of a modern storage facility that was previously financed with a state loan from the Potato Marketing Improvement Fund may receive a loan from the Agricultural Marketing Loan Fund, but not for the same project financed by the Potato Marketing Improvement Fund, Mortgages obtained from the fund may be-assumed-by-subsequent-purchasers-of-the-property.

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In order to provide monetary support for Maine milk producers, the Commissioner of Agriculture, Food and Rural Resources may take actions and direct the Finance Authority of Maine to take actions to provide support including entering into agreements as may be necessary to sell, assign or otherwise pledge amounts in the aggregate principal amount of loans and undivided interests in a pool of loans, and assign or pledge any each balances in the fund, mortgages or other security to provide assurance that amounts provided as monetary support by the commissioner to milk producers are returned to their original source.

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Sec. C-7. Application; contingent on bond issue. This Part takes effect only if the general revenue bond issue in Part A is approved by the voters of this State.

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## PART D

2	raki D
	Sec. D-1. 20-A MRSA c. 428-B is enacted to read:
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6	CHAPTER 428-B
8	MAINE RECRUITMENT AND RETENTION PROGRAM
10	§12531. Definitions
12	As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.
14	
16	1. Authority. "Authority" means the Finance Authority of Maine.
18	2. Chief executive officer. "Chief executive officer" means the Chief Executive Officer of the Finance Authority of Maine.
20	2 Plinible and another uplicible and another
22	3. Eligible employment position. "Eligible employment position" means a full-time position of employment that requires at a minimum a bachelor's degree with an employer located in this
24	State.
26	4. Eligible individual. "Eligible individual" means a person who holds a bachelor's degree.
28	5. Program. "Program" means the Maine Recruitment and
30	Retention Program established in section 12532.
32	6. Workforce Cabinet. "Workforce Cabinet" means the group appointed by the Governor to study and make recommendations
34	regarding workforce policy.
36	§12532. Maine Recruitment and Retention Program
38	The Maine Recruitment and Retention Program is established to provide assistance to Maine employers seeking to recruit
40	individuals for full-time employment in this State by providing financial assistance to eligible individuals who fill such
42	positions.
44	§12533. Eligibility requirements
46	1. Eligible positions. The chief executive officer with the advice of the Workforce Cabinet shall, by rule, identify
48	eligible employment positions.
50	2. Program loan repayment agreement. A program loan repayment agreement may be given only to an individual who is

employed in this State in an eligible employment position and who has met other eligibility criteria established by rule of the authority.

### §12534. Loan repayment agreement application

Beginning January 1, 2006, an eligible individual who has outstanding student loans from financial institutions may apply to obtain one or more program loan repayment agreements under section 12533. Applications must be submitted to the authority at a time and in a format to be determined by the authority.

## §12535. Maximum loan repayment; participation

The maximum program loan repayment amount available to each eligible individual is \$5,000 per year for a maximum of 4 years.

### §12536. Payment provisions

The authority shall enter into a program loan repayment agreement with an eligible individual on terms and conditions that are acceptable to the authority and that at a minimum must require the eligible individual and the eligible individual's employer to certify annually, before payment of any installment by the authority under the program loan repayment agreement, that the eligible individual has been employed in an eligible employment position for the preceding 12-month period. Payment of any installment by the authority, including matching funds provided to the authority by the employer, must be made directly for credit to the eligible individual's account at the financial institution certified by the eligible individual as responsible for administration of that individual's student loans.

### §12537. Nonlapsing revolving fund

1. Creation of fund. The Maine Recruitment and Retention Program Fund, referred to in this section as "the fund," is created as a nonlapsing, interest-earning, revolving fund to carry out the purposes of this chapter. The fund must be deposited with and maintained and administered by the authority. Any unexpended balance in the fund carries over for continued use under this chapter. The authority may receive, invest and expend on behalf of the fund money from gifts, grants, bequests, loans and donations in addition to money appropriated or allocated by the State. Money received by the authority on behalf of the fund, except interest income, must be used for the purposes of this chapter; interest income may be used for the purposes of this chapter or to pay administrative costs incurred by the authority, as determined appropriate by the authority.

Administrative expenses. Costs and expenses of maintaining, servicing and administering the fund and administering the program may be paid out of amounts in the fund. 6 **§12538.** Rules Ω The authority shall adopt rules to implement this chapter. Rules adopted by the authority pursuant to this chapter are routine technical rules pursuant to Title 5, chapter 375, 10 subchapter 2-A. 12 Sec. D-2. Application; contingent on bond issue. This Part takes effect only if the general revenue bond issue in Part A is 14 approved by the voters of this State. 16 SUMMARY 18 20 PART A 22 The funds provided by the bond issue in Part A, in the amount of \$78,850,000, will be used to stimulate economic growth and job creation through investments in the Maine economy. 24 funds will be used for the following purposes: 26 The sum of \$22,000,000 for medical research and development by Maine-based biomedical research institutions in 28 anticipation of approximately \$100,000,000 in federal and private funds for health research to cure disease and to retain Maine 30 graduates by providing high-quality Maine jobs; 32 The sum of \$850,000 to purchase the property known as Black Duck Cove on Great Wass Island to serve as the home of the 34 Downeast Institute for Applied Marine Research and Education; 36 \$9,000,000 for marine research and The sum of development in anticipation of \$9,000,000 in federal and private 38 funding for competitive capital infrastructure grants to sustain and develop Maine's marine-based economy; 40 The sum of \$5,000,000 for forestry and agricultural 42 research and development in anticipation of \$5,000,000 in federal and private funding for competitive grants to sustain 44 Maine's forestry and agricultural economy; 46 The sum of \$2,000,000 for the Small Enterprise Growth Fund for equity investments in small Maine companies with 48

potential for high growth to leverage private equity investments;

- 6. The sum of \$5,000,000 for the New Century Community
  Program for capital improvements to cultural resources;
- 7. The sum of \$1,000,000 for sustainable water sources and irrigation system development to leverage private funds of at least \$800,000:
- 8 8. The sum of \$1,000,000 to replenish the Agricultural Marketing Loan Fund to support farm business development, to leverage private funds of at least \$600,000;
- 9. The sum of \$3,000,000 for grants through Working Waterfronts Conservation Program to leverage \$3,000,000 in matching funds;
- 16 10. The sum of \$5,000,000 to furnish and outfit the new bioscience building at the University of Southern Maine with laboratories and equipment to leverage \$1,200,000 in federal funds:
- 11. The sum of \$6,000,000 to build the University of Maine
  22 cold water aquaculture marine science facility to leverage
  approximately \$10,000,000 in federal funds;

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- 12. The sum of \$4,000,000 to outfit the Laboratory for
  26 Surface Science Technology clean room facility at the University
  of Maine with state-of-the-art lanofabrication tools and
  28 instrumentation to leverage \$4,000,000 in federal grants and
  contracts for research;
- 13. The sum of \$3,000,000 to renovate Camden Hall on the
  University of Maine-Bangor campus for a graduate school for biomedical science;
- 14. The sum of \$2,000,000 for capital costs and equipment
  for the career center facility at the University of Southern
  Maine's Lewiston-Auburn College;
- 15. The sum of \$1,000,000 for education loan repayment 40 incentives through the Finance Authority of Maine to retain and recruit skilled workers in Maine;
- 16. The sum of \$3,000,000 for recapitalization of the Economic Recovery Program through the Finance Authority of Maine;
- 17. The sum of \$1,000,000 for the development of the Sunrise Business and Career Center in the Town of Jonesboro;
- 18. The sum of \$4,000,000 to provide funds for the development of affordable workforce housing and downtown housing

2	and for weatherization and home repair in anticipation of an additional \$9,000,000 in other public and private funding; and
4	19. The sum of \$1,000,000 for family and elderly housing options for Native American tribes through the Four Directions
6	Development Corporation to help attract \$1,000,000 in federal funds.
8	PART B
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12	Part B of this bill establishes a grant program for the acquisition of real estate that constitutes working waterfront in
14	coastal harbors.
	PART C
16	Part C of this bill reorganizes the laws governing the
18	Agricultural Marketing Loan Fund.
20	PART D
22	Part D of this bill establishes the Maine Recruitment and Retention Program within the Finance Authority of Maine to
24	provide repayment of educational loans of individuals who have a bachelor's degree and work in Maine for 4 years.